

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

2329 S. MacArthur Blvd.
Springfield, Illinois 62704-4503
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Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph St, Ste 14-100
Chicago, Illinois 60601-3232
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EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

AGENDA STATE BOARD OF ELECTIONS BOARD MEETING Monday, July 16, 2012 10:30 a.m.

2329 S. MacArthur Blvd.
Springfield, Illinois
and via videoconference
James R. Thompson Center – Suite 14-100
Chicago, Illinois

Call State Board of Elections to order.

Recess the State Board of Elections and convene as the State Officers Electoral Board. (SOEB Agenda sent under separate cover)

Recess the State Officers Electoral Board and reconvene as the State Board of Elections.

1. Approval of the minutes from the June 19 meeting. (pgs.1-6)
2. Report of the General Counsel
 - a. Campaign Disclosure;
Motion for settlement offer
 - 1) *SBE v. Citizens for Cepero*, 7709, 11MQ002; (pgs.7-9)
 - 2) *SBE v. Hinsdale First*, 21128, 12MA021; (pgs.10-11)Request for payment plan
 - 3) *SBE v. Citizens for Deyon Dean*, 21676, 10JS245 & 11MA066; (pgs.12-13)Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted
 - 4) *SBE v. Bloom Township Democratic Organization*, 454, 12AD005; (pgs.14-29)
 - 5) *SBE v. Concerned Citizens for America*, 11321, 12MQ056; (pgs.30-34)
 - 6) *SBE v. Citizens for Lane Harrison*, 16951, 12MA010; (pgs.35-39)
 - 7) *SBE v. Friends for Deborah E. Woodruff*, 18310, 12MQ122; (pgs.40-42)
 - 8) *SBE v. Citizens for Scott Lee Cohen*, 21641, 11JQ279; (pgs.43-48)
 - 9) *SBE v. Citizens for Mary Kelley*, 22473, 12AM029; (pgs.49-52)
 - 10) *SBE v. Committee to Elect Thomas Ganiere*, 23718, 12AM039; (pgs.53-56)
 - 11) *SBE v. Citizens to Elect Mike Nerheim*, 23727, 12AM041; (pgs.57-61)
 - 12) *SBE v. Friends of Ken Snider*, 24140, 12MQ264; (pgs.62-66)Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied
 - 13) *SBE v. Cook County Democratic Party*, 163, 12AM002; (pgs.67-70)

- 14) *SBE v. Springfield & Central IL Trades & Labor Council AFL-CIO*, 935, 12MQ020; (pgs.71-73)
- 15) *SBE v. Moraine Township Democratic Organization*, 6630, 12AD014; (pgs.74-77)
- 16) *SBE v. Citizens for Schussler*, 4504, 12MQ028; (pgs.78-80)
- 17) *SBE v. Friends of District 214*, 20059, 11DQ110; (pgs.81-83)
- 18) *SBE v. Friends of John Shaw*, 20952, 12AM022; (pgs.84-87)
- 19) *SBE v. Alsip Coalition for Excellence*, 21766, 12DQ138; (pgs.88-90)
- 20) *SBE v. Friends of August H. Griffin for Edgar County Clerk*, 22674, 12MQ211; (pgs.91-93)
- 21) *SBE v. Citizens for Anna Moeller*, 23092, 12DQ169; (pgs.94-96)
- 22) *SBE v. Mike Smiddy for State Representative*, 23773, 12AM044; (pgs.97-99)
- 23) *SBE v. Friends of Tabares*, 23775, 12AD063; (pgs.100-102)
- 24) *SBE v. Northwestern Illinois Building & Construction Trades Council*, 23781, 11MA130; (pgs.103-105)
- 25) *SBE v. Citizens to Elect William S. Boyd*, 23872, 12AD066; (pgs.106-108)
- 26) *SBE v. Citizens to Elect Eileen M. O'Connor*, 23985, 12DQ200; (pgs.109-112)
- 27) *SBE v. Committee to Elect Real Democrats 3rd District County Board*, 24278, 12MQ284; (pgs.113-115)
- 28) *SBE v. IBEW Local 9 PAC Fund*, 24351, 12MA074; (pgs.116-120)
- 29) *SBE v. Carpenters Helping in the Political Process (CHIPP)*, 24364, 12MA075; (pgs.121-123)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted and denied

- 30) *SBE v. Joy Cunningham for Justice*, 23691, 12AD032; (pgs.124-143)

Appeals of contribution limit fines – new appeals – hearing officer recommendation appeals be granted

- 31) *SBE v. Illinois Hospital Assn. PAC (IHA PAC)*, 675, 11MA-CL001; (pgs.144-164)
- 32) *SBE v. Citizens for Deborah Sims*, 11768, 11DQ-CL005; (pgs.165-167)
- 33) *SBE v. Friends of John Sullivan*, 16708, 12MQ-CL004; (pgs.168-171)
- 34) *SBE v. Citizens for Alderman Reilly*, 19263, 11DQ-CL009; (pgs.172-175)
- 35) *SBE v. Friends of Michael D. Nardello*, 23764, 11DQ-CL013; (pgs.176-181)
- 36) *SBE v. Pliura for Senate*, 23774, 12MQ-CL015; (pgs.182-185)

Appeals of contribution limit fines – new appeals – hearing officer recommendation appeals be denied

- 37) *SBE v. Illinois Democratic County Chairmen's Association*, 393, 11DQ-CL0002; (pgs.186-191)
- 38) *SBE v. Citizens for Kirk Dillard (for Senate)*, 9857, 12MQ-CL001; (pgs.192-195)
- 39) *SBE v. Citizens for Antonio "Tony" Munoz*, 13732, 11DQ-CL006; (pgs.196-199)

Other campaign disclosure items

- 40) Civil Penalty Assessments/Final Orders; (pg.200)
- 41) Contribution Limit Penalty Assessments/Final Orders; (pg.200)
- 42) Payment of civil penalties – informational; (pgs.201-202)

Motion for Direct Appeal Regarding Jurisdiction

- 43) *Sherman v. Indian Trails Public Library District, et al*, 11CD019 & 11CD023; (pgs.203-223)

Complaints following closed preliminary hearing – proceed to public hearing (separate packet)

- 44) *SBE v. First Ward Organization*, 12CD032; (pg.1)
- 45) *SBE v. Citizens United for Change in the 20th Ward*, 12CD047; (pg.2)
- 46) *SBE v. The Committee to Elect Tracy A. McLeMore*, 12CD069; (pg.3)
- 47) *SBE v. Illinois Black Business PAC*, 12CD081; (pg.4)
- 48) *SBE v. Vargas for 43*, 12CD084; (pg.5)
- 49) *SBE v. People for Beachem*, 12CD088; (pg.6)
- 50) *SBE v. Friends of Loree H. Washington*, 12CD112; (pg.)

Complaints following closed preliminary hearing – no public hearing

- 51) *SBE v. Friends of Molly Phelan*, 12CD083; (pgs.8-9)

Complaints following closed preliminary hearing – committee administratively finalized

52) *SBE v. Committee About Recreation*, 12CD031; (pg.10)

53) *SBE v. Citizens for Hackney*, 12CD043. (pg.11)

3. Report of the Executive Director
 - a. Preparations for the November 6, 2012 General Election;
 - 1) Candidate petition filing update; (pgs.224-225)
 - 2) Election judge training schools – informational; (pgs.226-227)
 - b. Legislative update; (oral report)
 - c. Voter purge update – Alexander & Massac Counties; (pg.228)
 - d. IVRS update – informational; (pgs.229-233)
 - e. Census data versus registered voters; (pg.234)
 - f. Temporary dais for Springfield office; (pg.235)
 - g. Fiscal status reports – informational;
 - 1) FY12 – month ending June 30; (pgs.236-243)
 - 2) Help Illinois Vote Fund; (pgs.244-249)
 - h. Two year plan of staff activity for the months of July & August – informational. (pgs.250-253)
4. Follow up. (pg.254)
5. Comments from the general public. (pg.254)
6. Next Board meeting at 10:30 a.m. on Friday, August 24, 2012 in Chicago. (pg.254)
7. Executive session. (pgs.255-267)

STATE BOARD OF ELECTIONS
Regular Board Meeting
Tuesday, June 19, 2012

MINUTES

PRESENT:

William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers, Member
Betty J. Coffrin, Member
Ernest L. Gowen, Member
Judith C. Rice, Member
Bryan A. Schneider, Member
Charles W. Scholz, Member

ALSO PRESENT:

Rupert Borgsmiller, Executive Director
Jim Tenuto, Assistant Executive Director
Steve Sandvoss, General Counsel
Amy Calvin, Administrative Assistant II

The meeting convened at 10:00 a.m. via videoconference with the Springfield office. Chairman McGuffage, Vice Chairman Smart and Members Byers, Gowen, Schneider and Scholz were present in Chicago. Member Coffrin was present in Springfield and Member Rice present via teleconference.

The Chairman opened the meeting by leading everyone in the pledge of allegiance.

Member Byers moved to recess to executive session to consider personnel matters and the motion passed unanimously. The meeting recessed at 10:03 a.m. and reconvened at 10:50 a.m.

Chairman McGuffage moved to ratify the salary adjustments approved in executive session for the Executive Director, Assistant Executive Director and General Counsel. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

Member Byers moved to recess the State Board of Elections and reconvene as the State Officers Electoral Board. Member Scholz seconded the motion which passed unanimously. The meeting recessed at 10:53 a.m. and reconvened at 11:00 a.m.

Vice Chairman Smart moved to approve the minutes from the May 22 meeting as presented. Member Scholz seconded the motion which passed unanimously.

The General Counsel presented a motion for reconsideration for Agenda item 5.a.1, *SBE v. Friends of Miriam Shabo*, 21302, 11MA114. No one was present for the committee and the General Counsel recommended the motion be denied. Vice Chairman Smart moved to accept the recommendation of the General Counsel. Member Schneider seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a motion for reconsideration for Agenda item, 5.a.2, *SBE v. Donna Leoni Peluso and Jay Reyes for Triton College*, 23477, 11AJ132. No one was present for the committee and the General Counsel recommend the motion be granted. Member Scholz moved to accept the recommendation of the General Counsel. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a motion for reconsideration for Agenda item, 5.a.3, *SBE v. Mike Smiddy for State Representative*, 23773, 11SQ262. No one was present for the committee and the General Counsel recommended the motion be denied. Vice Chairman Smart moved to accept the recommendation of the General Counsel. Member Byers seconded the motion which passed by roll call vote of 8-0.

The following appeals of campaign disclosure fines where the hearing officer recommended that the appeals be granted for Agenda items 5.a.4-11.b were presented:

- 4) *SBE v. Citizens for Judy Baar Topinka*, 127, 12AD003
- 5) *SBE v. INA-PAC (SNAP)*, 596, 11AD006;
- 6) *SBE v. Nurses United for PAC*, 723, 12DQ014;
- 7) *SBE v. Champaign County Republican Central Committee*, 992, 12AD010;
- 8) *SBE v. PCI Political Account*, 12467, 11AS017;
- 9) *SBE v. Citizens for Chris Boyster*, 22229, 11SQ259;
- 10) *SBE v. Committee to Elect TFPD Trustee*, 22885, 12DQ161;
- 11) *SBE v. Cook County Coalition of Tradesmen*, 23641, 11AJ134;
- 11.a) *SBE v. Friends of Anita Alvarez*, 20758, 11AS083;
- 11.b) *SBE v. Friends of Martin A. Blumenthal*, 23738, 11AS092.

The General Counsel concurred with the recommendation of the hearing officer in all matters and noted that the committee in Agenda item 5.a.11 be ordered to file the amendments listed in the hearing officer's recommendation. Vice Chairman Smart moved to grant the appeals in the matters listed above. Member Schneider seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 5.a.19, *SBE v. Citizens for Maloney*, 16337, 12AD018 and concurred with the hearing officer recommendation to deny the appeal. Mike Kasper was present on behalf of the committee and indicated he did not represent them at the time of the appeal and understood there were computer related issues. The committee has filed the required reports and asked to grant the appeal. Vice Chairman Smart moved to grant the appeal. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 5.a.17, *SBE v. Thomas for Illinois*, 14066, 11MA098 and concurred with the hearing officer recommendation to deny the appeal. Juan Thomas was present on behalf of the committee, explained the details of his appeal and offered a settlement amount of \$2,500. After discussion, Member Scholz moved to deny the appeal and accept the settlement amount of \$2,500 to be paid within one year and an additional \$2,000 penalty would become due and owing if Mr. Thomas becomes a candidate for office and would be abated if the committee dissolves and remains so for the two year period following the date of the Board order. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 5.a.18, *SBE v. Illinois Psychiatric PAC*, 15354, 11DQ060 and concurred with the hearing officer recommendation to deny the appeal. Meryl Sosa and Dr. Kenneth Bush were present for the committee, explained the details of the appeal and offered a settlement amount of 50% of the penalty. Member Schneider moved to deny the appeal and accept the settlement offer of 50% of the fine to be paid within thirty days. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 5.a.16, *SBE v. District 230 Teachers Association IPACE*, 6596, 12DQ034 and concurred with the hearing officer recommendation to deny the appeal. James Nally was present on behalf of the committee and said they experienced software issues, do not have the means to pay the exorbitant fine and asked for leniency. After

discussion, Vice Chairman Smart moved to grant the appeal. Member Byers seconded the motion which passed by roll call vote of 7-1 with Member Schneider voting in the negative.

Member Rice left the meeting and Chairman McGuffage held her proxy for the duration of the meeting.

The General Counsel presented Agenda item 5.a.25, *SBE v. Illinois Federation of Public Employees PAC*, 23671, 11MA085 & 12MA030 and concurred with the hearing officer recommendation to deny the appeal but treat the violations as one offense and stay the fine. Burt Odelson was present on behalf of the committee and agreed with the recommendation. Chairman McGuffage moved to accept the recommendation of the General Counsel to deny the appeal but treat as one violation and stay the fine. Member Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented appeals of campaign disclosure fines where he concurred with the recommendation of the hearing officer to deny the appeals for Agenda items 5.a.12-15, 20-24 & 25.a:

- 12) *SBE v. DeKalb County Democrats*, 143, 12DQ002;
- 13) *SBE v. Rock Island County Republican Central Committee*, 349, 11AS053;
- 14) *SBE v. Illinois Restaurateurs PAC*, 543, 12MA002; (pgs.67-72)
- 15) *SBE v. Communication Workers of America District 4PEC*, 763, 12AD009;
- 20) *SBE v. Morton Grove Caucus Party*, 17331, 11SQ121;
- 21) *SBE v. Citizens for Kurt*, 17646, 12MA012;
- 22) *SBE v. Citizens for Gwendolyn E. Drake*, 22257, 12DQ148;
- 23) *SBE v. Citizens to Elect David Moore*, 23127, 12MA027;
- 24) *SBE v. Citizens for Homewood Schools*, 23335, 11AM188;
- 25.a) *SBE v. Friends for Monique Davis*, 1059, 12MA057.

No one was present on behalf of the respondent committees. Vice Chairman Smart moved to accept the recommendation of the General Counsel and hearing officer in the above listed matters. Member Scholz seconded the motion which passed by roll call vote of 80.

Agenda items 5.a.26 and 26.a were pulled and will be placed on the July Board meeting Agenda at the request of the respondent committees.

The General Counsel presented a failure to comply with a Board order for Agenda item 5.a.27, *SBE v. Friends of John Pope*, 14501, 11MQ-CL012 and reviewed the matter. Since the committee did file the required report prior to today's meeting, he recommended the committee not be assessed a civil penalty. Vice Chairman Smart moved to accept the recommendation of the General Counsel. Member Byers seconded the motion which passed by roll call vote of 80.

A listing of potential ballot forfeiture and payment a civil penalties was presented for informational purposes.

Member Schneider moved to recess to executive session to consider complaints, litigation and personnel matters and the motion passed unanimously. The meeting recessed at 12:05 p.m. and reconvened at 12:50 p.m.

Upon reconvening a roll call was taken with the seven Members present. Member Rice was absent and Chairman McGuffage held her proxy.

As to Agenda item 5.a.30, *Jenkins v. Cicero Voters Alliance (The Larry Dominick Team)*,

11CD191, Member Schneider moved to find the complaint was not filed on justifiable grounds and dismiss the matter for want of prosecution. Member Scholz seconded the motion which passed by roll call vote of 8-0.

As to Agenda item 5.30.a, *Jenkins v. Friends of Michael J. Madigan*, 12CD117, Member Schneider moved to dismiss the complaint for want of prosecution. Member Byers seconded the motion which passed by roll call vote of 8-0.

As to Agenda items 5.a.31-33, 35-40, 43 & 45-49, Member Schneider moved to find the following complaints as filed on justifiable grounds and the matters proceed to public hearing:

- 31) *SBE v. 1st Ward Young Democrats*, 12CD034;
- 32) *SBE v. Votedebby.com*, 12CD036;
- 33) *SBE v. Friends of Michelle Chavez*, 12CD037;
- 35) *SBE v. Taxpayers United for Fairness*, 12CD049;
- 36) *SBE v. Coalition for Property Rights*, 12CD054;
- 37) *SBE v. Committee to Elect Gary Nowak*, 12CD056;
- 38) *SBE v. Citizens for Marijan*, 12CD061;
- 39) *SBE v. Oak Lawn Leadership Team*, 12CD064;
- 40) *SBE v. Working People's Campaign Committee for Elections of Honest Governors*, 12CD068;
- 43) *SBE v. All Citizens for Matthew Johnson*, 12CD086
- 45) *SBE v. Friends of Brian Sleet*, 12CD089;
- 46) *SBE v. Butler for Alderman 29th Ward*, 12CD099;
- 47) *SBE v. People's Choice PAC*, 12CD100;
- 48) *SBE v. Education First Party*, 12CD108;
- 49) *SBE v. Citizens to Elect Cassandra*, 12CD113.

Member Byers seconded the motion which passed by roll call vote of 80.

As to Agenda items 2.a.50-60, Member Schneider moved to find the following complaints as filed on justifiable grounds, not proceed to public hearing but the matters referred to staff for assessment of appropriate penalties:

- 50) *SBE v. Friends of LaConyer Davis*, 12CD116;
- 51) *SBE v. Regular Republican Party of River Forest*, 12CD017;
- 52) *SBE v. Committee for a Better 7th Ward*, 12CD038;
- 53) *SBE v. Young Democrats of Cook County*, 12CD042;
- 54) *SBE v. Citizens for Anna Marie Manzo*, 12CD058;
- 55) *SBE v. Friends of Tony Michelassi*, 12CD062;
- 56) *SBE v. Northbrook Caucus 2011*, 12CD093;
- 57) *SBE v. Elizabeth Nevarez*, 12CD101;
- 58) *SBE v. Cherie for 202*, 12CD102;
- 59) *SBE v. Southland Success PAC*, 12CD076;
- 60) *SBE v. District 230 Teachers Association IPACE*, 12CD118.

Member Scholz seconded the motion which passed by roll call vote of 80.

Member Schneider moved to direct staff to implement the organizational changes within the legal division as discussed in executive session. The motion passed unanimously.

Member Schneider moved to authorize the Executive Director to renew the contract of Steve

Flowers for IT support for an additional twenty days. The motion passed by roll call vote of 7-1 with Member Byers voting in the negative.

The report of the Executive Director began with an update on the number of resolutions to fill vacancies in nomination and it was noted that twenty-seven resolutions were filed and many candidates were still unopposed in the General Election.

The Executive Director said the independent and new party petition filing was in progress and to date no candidates had yet filed. He noted that four offices might have new party candidates filing and it was a possibility that the Libertarians might file petitions for President. The last day to file petitions is June 25 and the last day to file objections is July 2 and a Special Board Meeting was scheduled for July 9 to call cases for potential objections.

A listing of current election judge training schools schedule was presented for informational purposes.

Dianne Felts discussed the Accu-Vote memory card modification and noted that Larry Calvert was present from Governmental Business Systems. She reviewed her memo contained in the Board packet and said the new card does not require an internal battery to retain the programming of the data and that testing of the card was conducted without any major issues. Ms. Felts recommended approval of the memory card modification. Member Schneider moved to accept Ms. Felts' recommendation and approve the new memory card modification. Vice Chairman seconded the motion which passed unanimously.

The Executive Director gave an update on the 2012 Heartland Conference he recently attended and said there were excellent discussions regarding campaign disclosure and ethics, state budgets and the role of social media in state government. The 2013 Heartland Conference will be held in Louisville, Kentucky.

The National Conference of State Legislatures will be held in Chicago in August and the Executive Director said to contact Cris Cray for registration information if any Board Member would like to attend the conference.

Ms. Cray began the legislative update with a review of elections related bills that passed during the Spring Session and indicated that only the omnibus election bill had been sent to the Governor at this time. She also informed the Board that the next meeting of the Campaign Finance Reform Task Force Committee is scheduled for Thursday, June 21 at 1:00 p.m.

The Executive Director presented the FY13 proposed spending plan and reviewed some of the figures outlined in the plan. He noted that the appropriation for operations will be in a lump sum format and awards and grants will be distributed in a line item format. After discussion, Vice Chairman Smart moved to approve the FY13 spending plan as presented. Member Schneider seconded the motion which passed by roll call vote of 8-0.

Kyle Thomas reported on the voter purges currently in process in Alexander and Massac Counties and said both jurisdictions are working very hard and commended them for their efforts. He anticipates the purges to be completed by the end of June.

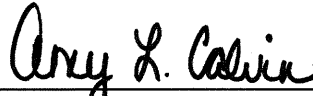
Mr. Thomas discussed the voting age population versus registered voters in certain jurisdictions and indicated that East St. Louis Board of Elections is above 100% and staff is in the process of identifying the factors that contributed to the increase. The IVRS update containing the number of duplicate matches per month was also presented for informational purposes.

The Executive Director noted that the Agency contract with Catalyst Consulting will expire on June 30, 2012 and the IVRS system will be maintained by internal IT staff after that date.

The fiscal status reports and two year plan of staff activity for the months of June and July were presented for informational purposes. The Executive Director commended staff for controlling their expenses throughout the fiscal year.

With there being no further business before the Board, Member Scholz moved to adjourn until July 9, 2012 at 10:00 a.m. Vice Chairman Smart seconded the motion which passed unanimously. The meeting adjourned at 2:10 p.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



Rupert T. Borgsmiller, Executive Director

STATE BOARD OF ELECTIONS
12 JUN 29 AM 7:56

In the Matter Of:)
)
State Board of Elections,)
)
Complainant(s),)
)
v.) No. 11 MQ 002
)
Citizens for Cepero, ID# 7709)
)
Respondent(s))

Now comes respondent, Citizens for Cepero, by its attorney, Peter V. Bustamante, and moves this Honorable Board to consider settlement of this matter and in support thereof states:

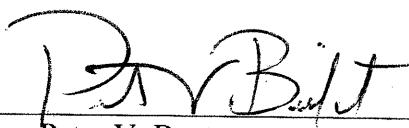
- 7

6. We ask for this Board's understanding with respect to the errors that lead to the failure to file quarterly reports and to the fact that the committee will have to borrow funds to pay civil penalties.

7. Accordingly, the respondent respectfully offers to settle this matter for the sum of \$1,387.50, which represents 50% of the penalty assessed.

WHEREFORE, respondent prays that this Honorable Board accept this offer of settlement.

Respectfully submitted,
Citizens for Cepero

By: 
Peter V. Bustamante

Peter V. Bustamante
Attorney at Law
150 North Michigan Avenue
Suite 690
Chicago, Illinois 60601
(312) 346-2072

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
 Complainant(s),)
)
Vs.) 11 MQ 002
)
Citizens for Cepero)
 Respondent(s).)

AMENDED FINAL ORDER

TO: Citizens for Cepero ID# 7709
 150 N Michigan Ave, Ste 690
 Chicago, IL 60601-7628

This matter coming to be heard this 19th day of March, 2012 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 11 MQ 002, a \$1975.00 civil penalty was assessed against the Respondent for the delinquent filing of the March 2011 Quarterly Report; and
2. An appeal of the civil penalty was not submitted by the committee, and
3. The committee was previously assessed a penalty of \$800.00, which was stayed as a first violation, for the delinquent filing of the June 2011 Quarterly report (11 JQ 033). This assessment was not appealed, and
4. The committee filed a Final report on October 4, 2011.

IT IS ORDERED:

1. A civil penalty in the amount of \$1975.00 is imposed and the stay is lifted on the previously assessed penalty of \$800.00. The total amount of \$2775.00 will be abated on March 20, 2014 if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b); and
2. The effective date of this Order is June 15, 2012, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 6/15/2012


William M. McGuffage, Chairman

CHICAGO

2012 JUN 28 PM 4:17

STATE BOARD OF ELECTIONS

21128

June 20, 2012

State Board of Elections
Attn: Campaign Disclosure
2329 S Macarthur Blvd.
Springfield IL 62704

To Whom It May Concern:

Attached is a notice received regarding penalties for Hinsdale First. I called your office and spoke with someone mid-May and she said that the ruling would take place late May and that I'd receive this letter. She told me I could request a hearing after I received it. I am requesting that hearing if that is available.

Basically there has been no activity in this committee for a long time. A few filings were missed that were subsequently filed, as were the filings needed more recently. There was confusion regarding who would take care of these and they were missed.

After the fines were levied, apparently I missed the protest deadline. I would have sworn that I sent in an appeal, but my company was in the middle of being bought out and life was an absolute blur.

Hinsdale First has no money and no ability to raise money. I cannot afford to pay it myself as I am merely a volunteer. I understand that I can close the committee and the fines will go away which is what I'll be forced to do if we cannot reach an agreement. Hinsdale First may or may not ever become active again but I'd like to keep it open. I would like to offer to pay \$3,000 to settle all fines and put Hinsdale First in Good Standing. This way, the State gets some money, and we are cleared. If that isn't acceptable, I'm afraid we'll have to terminate the group.

Please let me know what I need to do.

Sincerely,



Christopher J. Elder
Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
 Complainant(s),)
)
Vs.) 12 MA 021
)
Hinsdale First)
 Respondent(s).)

FINAL ORDER

TO: Hinsdale First ID# 21128
 321 S Garfield Ave
 Hinsdale, IL 60521-4416

This matter coming to be heard this 22nd day of May, 2012 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 12 MA 021, a \$3425.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2011 Quarterly report; and
2. In case number 12 MA 021, a \$3700.00 civil penalty was assessed against the Respondent for the delinquent filing of the September 2011 Quarterly report, and
3. In case number 12 MA 021, a \$825.00 civil penalty was assessed against the Respondent for the delinquent filing of the December 2011 Quarterly report, and
4. An appeal of the civil penalty was not submitted by the committee.

IT IS ORDERED:

1. A civil penalty in the amount of \$7950.00 is imposed and is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is May 24, 2012, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 5/24/2012


William M. McGuffage, Chairman



BURTON S. ODELSON
attyburt@aol.com

21676

3318 WEST 95TH STREET
EVERGREEN PARK, IL 60805
(708) 424-5678
FAX (708) 425-1898
OFFICES IN CHICAGO
DuPAGE AND WILL COUNTIES
www.odelsonsterk.com

June 22, 2012

VIA E-MAIL

Steven S. Sandvoss
General Counsel
Illinois State Board of Elections
ssandvoss@elections.il.gov

Re: *Citizens for Deyon Dean*

Dear Mr. Sandvoss:

The Citizens for Deyon Dean committee respectfully requests that the fine of \$10,910.00 be paid in installments as follows:

- July 15, 2012: \$2,910.00
- August 15, 2012: \$2,000.00
- September 15, 2012: \$2,000.00
- October 15, 2012: \$2,000.00
- November 15, 2012: \$2,000.00

There are insufficient funds to pay the entire amount in one lump sum but Mayor Dean has committed to raise sufficient funds to make the payments.

Please let me know if this is acceptable to the Board.

Very truly yours,
ODELSON & STERK, LTD.

Burton S. Odelson

BSO/jr

cc: Mayor Deyon Dean (via e-mail)

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)	
)	
Illinois State Board of Elections)	
Complainant(s),)	
Vs.)	Case No. 10 JS 245
)	11 MA 066
Citizens for Deyon Dean)	
Respondent(s).)	

FINAL ORDER

TO: Citizens for Deyon Dean
14425 S State
Riverdale, IL 60827

ID# 21676

This matter coming to be heard this 22nd day of May, 2012 as a Motion to Settle Civil Penalty Assessment under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections reading the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. A Motion to Settle Civil Penalty Assessment was filed by the Respondent requesting that the assessed civil penalty in the amount of \$15,000.00 be reduced to \$7500.00.

IT IS ORDERED:

1. The Motion to Settle Civil Penalty Assessment is accepted by the Board; and
2. The settlement offer of \$7500.00 is now due and owing within 30 days of the effective date of this Order, and
3. The effective date of this order is May 24, 2012, and
4. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 5/24/2012


William M. McGuffage, Chairman

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

12 AD 005

Bloom Township Democratic Organization (ID 454)
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing Schedule A-1 Reports

The Committee received two contributions of \$1,000 on 10/28/11 and 11/1/11 and reported them on a Schedule A-1 received by the Board on 11/10/11, 7 and 5 days late respectively; resulting in a \$1,000 civil penalty. Additionally, this committee was assessed a \$300 civil penalty (not appealed, stayed) for delinquently filing the 2002 December Semi-Annual Report, a \$1,500 civil penalty (not appealed, reduced, paid) for failing to file Schedule A-1 reports during the 2003 Consolidated Election and a \$200 civil penalty (not appealed, not paid, expired) for delinquently filing the 2008 June Semi-Annual Report. Since this is considered the first delinquent Schedule A-1 filing, the civil penalty is reduced to \$100, or 10% of the above referenced amount.

Carl A. Christensen Jr, Treasurer, filed a Request for Hearing and submitted an Appeal Affidavit. The appeal hearing was held on May 29, 2012.

Mr. Christensen and Terry Matthews, Chairman appeared on behalf of the Respondent. Mr. Christensen testified that on 9/30/11 his computer crashed due to a computer virus. Unable to file electronically, he submitted a paper A-1 received by the Board on 11/10/11. Mr. Christensen stated he contacted CompUSA and it was suggested he install malware software however to remove the virus. The malware software did not work and on 10/3/11, he took the computer to CompUSA for service and the computer was deemed inoperable. Mr. Christensen was able to file the report on 12/13/11 on a different computer. He had the computer serviced by Simplyfine, all issues were resolved and virus protection software was installed. In support of his claim, Mr. Christensen submitted Respondents Exhibit (RE) 1, receipt and copy of malware software from Comp USA; RE 2, Paper Schedule A-1; RE 3, service receipt from CompUSA; RE 4, 30 day electronic filing notice from the Board; RE 5, electronic filing receipt issued by the Board; RE 6, service statement from Simplyfine.

The Respondent provided sufficient evidence to support its claim that the committee had a computer problem that prohibited timely filing. In order to be consistent with prior Board decisions when an electronic filing issue is presented as a defense and since this defense has not previously been offered, I recommend that the appeal be granted. (As of 3/31/12, the Committee reported a funds available balance of \$14,688.14).



Tara Molnar – Hearing Officer

June 18, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Bloom Township Democratic Org
Carl A Christensen, Jr
1132 Birkdale Ct
Naperville, IL 60563-2406

ID# 454

Dear Bloom Township Democratic Org:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Robert G Grossi	10/28/2011	\$1000	11/10/2011	7	\$500
Friends of Anthony DeLuca for State Representative	11/1/2011	\$1000	11/10/2011	5	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1000 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

State of Illinois)
)
County of COOK)

STATE BOARD OF ELECTIONS
12 APR 25 PM 2:25

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
BLOOM TOWNSHIP)
DEMOCRATIC ORGANIZATION)
Respondent(s).)

Case No. 12AD005

APPEAL AFFIDAVIT

I, CARL A. CHRISTENSEN, JR, the TREASURER of the
(Name) (Chairman/Treasurer)
BLOOM TOWNSHIP DEMOCRATIC ORGANIZATION
(Name of the Committee)

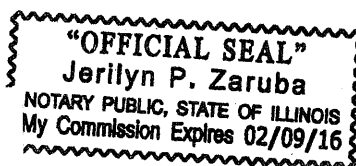
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

A-1 WAS NOT TIMELY FILED BECAUSE OF COMPUTER CRASH BY MALWARE
AND VIRUS TAKEOVER. LOST ALL FUNCTION AND DATA FOR FILM
I FILED THE A-1 IN QUESTION FROM THE CHICAGO OFFICE OF THE
STATE BOARD OF ELECTIONS WHEN OTHER MEANS WERE NO POSSIBLE
BTDO HAS AN OVERALL RECORD OF TIMELY + COMPLIANT FILLS
(SEE ATTACHMENT A)

Signed and Sworn to by:
Carl A Christensen JR
before me this 21st Day of
April, 2012
[Signature]
Notary Public

Carl A Christensen, Jr.
(Signature of Chairman/Treasurer)

MEMPHIS CURRENCY EXCHANGE, INC.



IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

v.

BLOOM TOWNSHIP
DEMOCRATIC ORGANIZATION

APPEAL AFFIDAVIT

My computer crashed at the approximate time for a timely filing of the A-1. This computer had been used for all previous electronic filings for Bloom Township Democratic Organization (BTDO). It was later replaced by a new computer purchase. All subsequent filings of the BTDO have been by a replacement computer. These facts can be verified.

Once it was determined that the crashed computer could not be repaired to do the A-1 filing, I electronically filed the A-1 from the State Board of Elections Chicago office from their computer before I had a replacement computer. Even previous to this visit to the State Board of Elections, I had faxed this A-1 report to the State Board of Elections in an attempt to put an A-1 disclosure in BTDO's report file.

BTDO has an overall record of timely and compliant filings.

Carl A. Christensen, Jr.

Carl A. Christensen, Jr.
Treasurer - Bloom Township Democratic Organization
1132 Birkdale Court
Naperville, IL 60563-2406
630-420-1920

THANK YOU FOR SHOPPING AT
COMPUSA - NAPERVILLE
175 AMBASSADOR DR
NAPERVILLE, IL 60540
(630) 548-2000

9/30/11 5:32PM ST730053 552 SALE

N208-0001 OEM

1 EA 29.99 EA
MALWAREBYTES LIFETIME OEM CD 29.99

SUB-TOTAL: 29.99 TAX: 2.17
TOTAL: 32.16
BC AMT: \$32.16

BK CARD#: XXXXXXXXXXXX6518

ID: 980743

AUTH: 00397C AMT: 32.16

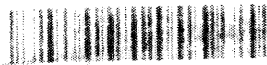
Host reference #:00510121 Bat#01

SWIPED

CARD TYPE:VISA

EXPR: XXXX

Total Items: 1



==>> JRNL#F10121/401
CUST # *DCSCH

<<==

THANK YOU CARL CHRISTENSEN
FOR YOUR PATRONAGE

Carl A Christensen

Name: X

Acct: CARL CHRISTENSEN

I agree to pay above total amount
according to card issuer agreement
(merchant agreement if credit voucher)
Customer Copy

Store Manager: Eric Johnson
Email: Eric.Johnson@compusa.com

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PC's, Tv's, and More

In-Store Returns

All returns and exchanges require an
original register receipt. All returned
items must be 1: new



REI

SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS OF \$1000 OR MORE

FOR OFFICE USE ONLY

Full name and complete mailing address of Political Committee:

Bloom Township Democratic Organization
219 W. 28th St.
So. Chicago Heights, IL 60411

POLITICAL COMMITTEE
IDENTIFICATION No.

☐ CHECK IF AN ADDRESS CHANGE 454

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

Note: Schedule A-1 reporting requirements now apply throughout the calendar year.

This form must be filed within 5 business days after receipt of any contribution of \$1000 or more, or within 2 business days if that receipt was within 30 days or less before the date of an election and the political committee supports or opposes a candidate or public question on the ballot at that election or makes expenditures in excess of \$500 on behalf of or in opposition to a candidate(s), or a public question(s), on the ballot at that election by either:

1. **HAND DELIVERY** - to a State Board of Elections office (see bottom of form for addresses),
2. **FACSIMILE** - to (217)-557-5630 or (312)-814-6485. Please retain a confirmation transmission for your records,
3. **ELECTRONIC TRANSMISSION** - If this political committee is required to file its reports electronically, the Schedule A-1 must also be filed electronically.

Postal service or other mail services may be used. **CAUTION:** such services do not guarantee that the A-1 form will be received by our office prior to the deadline. **A POSTMARK IS NOT USED TO DETERMINE WHETHER AN A-1 FORM HAS BEEN TIMELY FILED.**

THESE CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULARLY SCHEDULED FORM D-2 QUARTERLY REPORT, SCHEDULE A OR SCHEDULE I.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE	AMOUNT
Robert G. Grossi 21189 Lisa Lane Steger, IL 60475-5965	10-28-2011	\$ 1,000.00
Friends of Anthony DeLuca for State Representative 66 East 24th Street Chicago Heights, IL 60411	11-1-2011	\$ 1,000.00
PLEASE NOTE: Fax filing today (though electronic filing is normal) because of recent major trojan & malware computer takeover. Computer still under repair.		\$
		\$
		\$

Carl A Christensen, Jr

11-10-2011

SIGNATURE OF TREASURER OR CANDIDATE

DATE

Name and address of person submitting this report if other than the committee's chairman or treasurer:

THE ILLINOIS STATE BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$5,000. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

ALL POLITICAL COMMITTEES RETURN TO:

STATE BOARD OF ELECTIONS
PO BOX 4187
1020 S SPRING ST
SPRINGFIELD, IL 62708-4187

OR

STATE BOARD OF ELECTIONS
JAMES R. THOMPSON CENTER
100 W RANDOLPH ST. STE 14-100
CHICAGO, IL 60601-3232

THIS FORM MAY BE REPRODUCED

RE 2

FAX

TO: State Board of Elections: FROM: Carl A. Christensen, Jr.

Attn: Andy Naumann

FAX: 312-814-6485

FAX:

PHONE: 312-814-6440

PHONE: 630-420-1920

SUBJECT: A-1 Filing Bloom Township Democratic
Org. ID 454

DATE: November 10, 2011

COMMENTS: Per our discussion filing late due to major computer breakdown.
I will call to confirm receipt of this fax. Thanks for your help.

THANK YOU FOR SHOPPING AT
COMPUSA - NAPERVILLE
175 AMBASSADOR DR
NAPERVILLE, IL 60540
(630) 545-2000

10/03/11 12:23PM ST7836VE 552 SALE

Serial #: NJGKRENHJLKNHGJLE
BRAND: HOP
MODEL: PAVILION
DATA BACKUP TO HITACHI

TECH BACKUP

1	EA	69.98	EA	N
COMPCARE DATA BACKUP TO A				69.98
STORAGE DEVICE				

H450-8506

1	EA	44.99	EA	
Hitachi LifeStudio Mobile				44.99
Platinum 250GB USB 2.0				

SUB-TOTAL: 114.97 TAX: 3.26

TOTAL: 118.23

DEPOSIT : 118.23

Total Items: 2



==>> JRNL#F11139/401

<<==

CUST # *DC5CW

Store Manager: Eric Johnson

Email: Eric.Johnson@compusa.com

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All returns and exchanges require an original register receipt. All returned items must be in original, new condition, with the original box, packaging, manuals, accessories, and UPC codes. Except as noted below you may return or exchange any conforming items within 30 days of its original purchase date.

Desktop and laptop computers, TV's,
Projectors, Digital cameras and

RE3



Check-In Report

10/1/11
12:16:00

Phone :630-548-2000

175 AMBASSADOR DR

175 AMBASSADOR DR				
Service Record	Customer No	Customer Name	Address	
510268/O	*DC5CW	CARL CHRISTENSEN		
Technician	Clerk	Customer Phone	Alternate phone	
	ST730053	630-420-1920		IL
Created		Customer Email	PC Scanned	Condition
10/1/11		CCHRISTENSEN4172@WOWWAY.COM	D	A

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	PRICE	/PER	EXTENSION
1			Serial #:HJKGRHJKJYE						
2			BRAND:HP						
3			MODEL:MEDIACENTER						
4			RUN MALWAREBYTES						
5			PASSWORD 1 LAFAYETTE6972						
6	TECH PROMO	EA	COMPCARE FREE INSTALL OF ONE	1		1		/EA	N

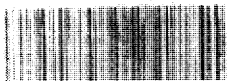
If after further inspection, CompUSA determines that the computer requires additional labor or parts, CompUSA will provide estimate of additional costs for labor or parts which may be required and performance of such work will proceed with customer approval. Service is not being performed by CompUSA under any applicable warranties and customer is responsible for all payments due. Computer conditions may exist which are not apparent upon initial inspection which may impair the ability of CompUSA to resolve a computer problem. CompUSA will not be liable for any such conditions whether or not such conditions are hidden. These conditions may include physical damage, defects, viruses or spyware associated with the computer hardware or software. Reasonable efforts will be made to list on a work order any apparent damages or other conditions prior to performing any service. CompUSA reserves the right to refuse to perform requested services on computers, in its sole and exclusive discretion. CompUSA may use new, used or refurbished parts or products. Customer gives CompUSA authority to replace or modify any internet security software with freely available alternatives or alternative web browser to protect computer from internet threats, at their discretion and without prior notice. CompUSA may subcontract with other service providers, if it deems it necessary to do so. CompUSA will employ reasonable measures to prevent unauthorized use of any data stored in your computer during the course of any service which is performed by CompUSA. CompUSA shall not be responsible for any data that may be lost or may become unrecoverable because of circumstances beyond its reasonable control. CompUSA's liability for damages related to its services, whether due to CompUSA's negligence or otherwise, is limited to the actual amount that customer pays for any estimates or services and customer releases CompUSA from liability for any indirect, incidental, special, or consequential damages including but not limited to interruption or loss of business. CompUSA is not liable for any damage, loss, alteration or corruption of any data or inability to use any computer or other product. CompUSA is not responsible for any cosmetic damage that may occur during service. Repair time may vary based on workload, condition of computer, manufacturer and parts availability. CompUSA has not made any guarantee or promise as to when the repairs will be completed. CompUSA has no liability whatsoever for repairs taking longer than Customer may anticipate. Customer has thirty (30) days from the date that the repair is completed to pick up Customer's computer or it will be considered abandoned. In the event a computer is abandoned, CompUSA may dispose of the computer as it deems appropriate.

TAXABLE	0.00
NON-TAXABLE	0.00
SUBTOTAL	0.00

DEPOSIT AMOUNT 0.00
BALANCE DUE 0.00

TAX AMOUNT	00
TOTAL AMOUNT	00

By signing below the customer approves and accepts the CompUSA Technical Services terms and conditions. If customer has not signed a work order but has signed a check, credit card or debit card authorization for the costs for the services performed, then these terms and conditions are deemed to be accepted.





Check-In Report

10/3/11
12:23:00

Phone :630-548-2000

175 AMBASSADOR DR

Service Record	Customer No	Customer Name	Address
511139/O	*DC5CW	CARL CHRISTENSEN	
Technician	Clerk	Customer Phone	Alternate phone
ST730053	ST730053	630-420-1920	IL
Created		Customer Email	
10/3/11		CCHRISTENSEN4172@WOWWAY.COM	PC Scanned Condition D A

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	PRICE	/PER	EXTENSION
1			Serial #: NJGKRENHJLKNHGJLE						
2			BRAND:HOP						
3			MODEL:PAVILION						
4			DATA BACKUP TO HITACHI				69.98	/EA	69.98 N
5	TECH BACKUP	EA	COMPCARE DATA BACKUP TO A	1		1			
6			STORAGE DEVICE				44.99	/EA	44.99
7	H450-8506	EA	Hitachi LifeStudio Mobile	1		1			
8			Platinum 250GB USB 2.0						

If after further inspection, CompUSA determines that the computer requires additional labor or parts, CompUSA will provide estimates of additional costs for labor or parts which may be required and performance of such work will proceed with customer approval. Service is not being performed by CompUSA under any applicable warranties and customer is responsible for all payments due. Computer conditions may exist which are not apparent upon initial inspection which may impair the ability of CompUSA to resolve a computer problem. CompUSA will not be liable for any such conditions whether or not such conditions are hidden. These conditions may include physical damage, defects, viruses or spyware associated with the computer hardware or software. Reasonable efforts will be made to list on a work order any apparent damages or other conditions prior to performing any service. CompUSA reserves the right to refuse to perform requested services on computers, in its sole and exclusive discretion. CompUSA may use new, used or refurbished parts or products. Customer gives CompUSA authority to replace or modify any internet security software with freely available alternative or alternative web browser to protect computer from internet threats, at their discretion and without prior notice. CompUSA may subcontract with other service providers, if it deems it necessary to do so. CompUSA will employ reasonable measures to prevent unauthorized use of any data stored in your computer during the course of any service which is performed by CompUSA. CompUSA shall not be responsible for any data that may be lost or may become unrecoverable because of circumstances beyond its reasonable control. CompUSA's liability for damages related to its services, whether due to CompUSA's negligence or otherwise, is limited to the actual amount that customer pays for any estimates or services and customer releases CompUSA from liability for any indirect, incidental, special, or consequential damages including but not limited to interruption or loss of business. CompUSA is not liable for any damage, loss, alteration or corruption of any data or inability to use any computer or other product. CompUSA is not responsible for any cosmetic damages that may occur during service. Repair time may vary based on workload, condition of computer, manufacturer and parts availability. CompUSA has not made any guarantee or promise as to when the repairs will be completed. CompUSA has no liability whatsoever for repairs taking longer than Customer may anticipate. Customer has thirty (30) days from the date that the repair is completed to pick up Customer's computer or it will be considered abandoned. In the event a computer is abandoned, CompUSA may dispose of the computer as it deems appropriate.

TAXABLE 44.99
NON-TAXABLE 69.98
SUBTOTAL 114.97

DEPOSIT AMOUNT 118.23
BALANCE DUE 0.00

BANKCARD PAYMENT
BKORD# XXXXXXXXXXXX6518 118.23

TAX AMOUNT 3.26
TOTAL AMOUNT 118.23

By signing below the customer approves and accepts the CompUSA Technical Services terms and conditions. If customer has not signed a work order but has signed a check, credit card or debit card authorization for the costs for the services performed, then these terms and conditions are deemed to be accepted.



APP-02115C

11139

MID:930743

24

Carl Christensen
RE?

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

Bloom Township Democratic Organization
Carl Christensen Jr, Treasurer
1132 Birkdale Ct
Naperville, IL 60563

November 14, 2011

Re: Electronic Filing (ID# 454)

Dear Committee:

Thank you for filing a Schedule A-1 (11/10/11) with us. However, please be advised that under the Campaign Disclosure Act, your committee is required to file its reports electronically. The Act and the Board's Rules and Regulations state:

"Beginning July 1, 2003, electronic filing is required for all political committees that during the reporting period (i) had at any time a balance or an accumulation of contributions of \$10,000 or more, (ii) made aggregate expenditures of \$10,000 or more, or (iii) received loans of an aggregate of \$10,000 or more."

"Once a committee exceeds the threshold that requires it to report electronically, it must continue to report electronically until it dissolves, whether or not its accumulation, receipts or expenditures fall beneath the levels set by statute for mandatory electronic filing."

Because your committee exceeded the \$10,000 threshold, it is required to file its reports electronically. Electronic filing software is available free of charge at the State Board of Elections website at www.elections.il.gov, or by contacting us at (217) 782-4141. Technical support in using the software is similarly available.

Your committee's report must be re-filed electronically within 30 days of this notice. If the report is re-filed by December 14, 2011, the date the paper report was received by the Board will be considered the filing dates. If the report is not re-filed by December 14, 2011, the paper report will be considered as never having been filed and the penalty for late filing will accrue from the dates of the filing deadline.

This letter serves as your committee's written warning, under Section 100.150 of the Board's Rules and Regulations, that your committee's reports must be filed electronically. **In the future, reports from your committee will not be considered filed until they are filed electronically.** A paper report will be considered as never having been filed (regardless of whether it is submitted on or before the filing deadline) and penalties for late filing will accrue from the date of the filing deadline.

If you have any questions or if you need assistance please contact the Campaign Disclosure Division at (217) 782-4141.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Steward", is written over a horizontal line.

Sharon Steward, Director
Division of Campaign Disclosure

RE 4

12/13/2011

Bloom Township Democratic Org
219 W 28th St
South Chicago Height, IL 60411-4711

State of Illinois
State Board of Elections
Campaign Disclosure Division

1020 South Spring St.
PO Box 4187
Springfield, Illinois 62708

100 West Randolph St.
Suite 14-100
Chicago, Illinois 60601

Political Party 454 09
Bloom Township Democratic Org

PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS

The Illinois State Board of Elections has received the following document(s) from your committee.
If this information is incorrect, notify our office at (217)782-4141 or (312)814-6440.

12/13/2011 2:35:34PM

Received in Springfield

A-1 Report of Campaign
Contributions of More Than \$500

RE5



Simplyfine

1073 Whirlaway Ave · Naperville, IL 60540-7637
Ph: 630-699-7020 Fax: 630-544-6508

Our 20th Year
1994 - 2012

February 8, 2012

TO: Mr. Carl Christensen

SUBJECT: Computer Malware and Virus Removal

We have completed the removal of the Malware and Virus's attached to your computers operating system and hard drive.

Suggestions for your consideration:

- Create a weekly backup using the "Backup" feature in Norton 360 or if you would rather have a drive that would be in your office, this can also be an excellent way to safe guard your data. This backup would allow you to restore the latest backup should you again experience an unfortunate virus attack.

General changes made to your system:

- We turned on "Anti-Phishing" for all website accesses. This provides that before a webpage is opened, it is checked to see if it is a "Safe" site. If not, the webpage is blocked from being displayed.
- We turned on "Safe Surfing" in Norton 360. This is the second process after Anti-Phishing that gets checked prior to a web page opening. Norton will not allow you to open a website that is malicious.
- The Browser Modifier downloaded a program called xvidsetup and xvidsetup1 which contained the remaining malware that attached itself to the Facebook process. Enclosed is the write-up for this malware which has a moderate attack rating. This program was removed.
- We restored Microsoft Update which was attacked and inoperable. Microsoft Windows Update was run and is up-to-date.
- Norton 360 – all functions were run and are up-to-date.

Here are the removal statistics:

1. Browser Modifier: Win32/WebEnhancementsMedia Removed	14. Exploit: Java/CVE-2010-0842.AS Removed
2. Trojan: DOS/Alureon.H Removed	15. Trojan: Java/Mesdeh Removed
3. Trojan: WIN32/Alureon.FK Removed	16. Trojan: Java/Powindal.C Removed
4. Adware: WIN32/Hotbar Removed	17. Trojan: Maljava Removed
5. Exploit: Java/CVE-2008-5353.TE Removed	
6. Exploit: Java/CVE-2008-5353.UH Removed	
7. Exploit: Java/CVE-2010-0840.NT Removed	
8. Exploit: WIN32/Pdfjsc.ZI Removed	
9. Exploit: Java/CVE-2008-5353.RI Removed	
10. Exploit: Java/CVE-2008-5353.SV Removed	
11. Exploit: Java/CVE-2008-5353.VS Removed	
12. Exploit: Java/CVE-2009-3867.GV Removed	
13. Exploit: Java/CVE-2010-0094.N Removed	

REC

Mr. Carl Christensen Continued.

Thank you for your patience and for the opportunity to provide you with Simplyfine's computer services.
If you need additional information or would like to discuss this further, please call me at your convenience at 630-699-7020.

Regards,



Chuck Werner
President
Simplyfine, Inc

REV

Martha Christensen

From: Chuck Werner [chuckw@wowway.com]
Sent: Sunday, January 15, 2012 3:33 PM
To: Carl Christensen
Subject: PC Update

Ok current status

Data files, pictures, etc copied from drive. Complete System reset, windows update for win7, restore files Complete Working on changing shut off procedure to sleep mode from hard shutdown.
Run final hardware software exercise overnight to validate.
Have to take Monika to Dr in am but afternoon after 3pm would be ok. Let me know if this works.
Chuck

Sent from my iPhone 4

Carl Christensen

From: Chuck Werner <chuckw@wowway.com>
Sent: Tuesday, January 24, 2012 10:28 PM
To: Carl Christensen
Subject: Carl's PC

Well today we have had a successful boot of the Carl pc and have recovered the existing system leaving everything as you had before the virus's malware etc etc etc.

Implementing service pack 2 for vista.

If all goes well s/b done and ready for prime time on Thursday.

This was a real bugger!!!

Will let you know.

Regards,

Chuck

Sent from my iPhone 4

Carl Christensen

From: Chuck Werner <chuckw@wowway.com>
Sent: Friday, January 27, 2012 2:51 PM
To: Carl Christensen
Subject: Re: Are we still "on" for today?

Yes but I'm running behind. Do u hv school?

Sent from my iPhone 4

REK

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

12 MQ 056

Concerned Citizens for America

ID# 11321

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
for Delinquently Filing the March 2012 Quarterly Report

The Report was received by the Board on April 19, 2012, 3 day late resulting in a civil penalty assessment of \$150. Additionally, the Committee had previously been assessed a civil penalty of \$25 (not appealed, unpaid) for delinquently filing the December 2011 Quarterly report and a \$950 (appealed, denied, unpaid) civil penalty for delinquently filing the December 2009 Semi Annual report. The total assessment is \$1,125.

Leland L Freberg, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Freberg states the report was filed timely and received by the Board. A copy of the certified mailing receipt was provided showing the Report received on April 11, 2012.

Section 100.125(a) of the Board's Rules and Regulations states in part that Quarterly reports of campaign contributions and expenditures must be received by the Board within the filing period, "*...pursuant to Section 9-10(b), if the envelope containing the reports bears a postmark showing that the envelope was mailed at least 72 hours prior to the due date, the reports shall be considered timely filed, regardless of when received in the office of the State Board of Elections.*" Since the envelope containing the Committee's report showed a postmark of 4/9/12, it is considered to be timely filed, and I recommend the appeal be granted. If this recommendation is accepted by the Board, the total civil penalty from the earlier assessments of \$975 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$1,314.76.)



Kim Patrick – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Concerned Citizens for America

ID# 11321

Dear Concerned Citizens for America:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 19, 2012, 3 day(s) late. As such, this committee has been assessed a fine of \$150.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5 you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously assessed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through December 31 2009	Semi-Annual	\$950
October 1 through December 31 2011	Quarterly	\$25
TOTAL AMOUNT NOW DUE		\$1125

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director,
Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

12 JUN 28 PM 1:13

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12MQ056

Concerned Citizens for America)

11321

Respondent(s).)

APPEAL AFFIDAVIT

I, Leland L. Friberg, the Treasurer of the
(Name) (Chairman/Treasurer)

Concerned Citizens for America

(Name of the Committee)

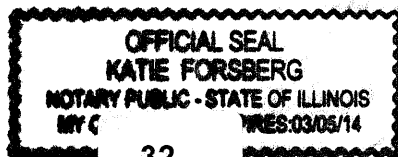
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Explanation and defense provided in letter attached.

Signed and Sworn to by:
Katie Forsberg
before me this 26th Day of
June, 2012

Notary Public

Leland L. Friberg
(Signature of Chairman/Treasurer)





6072 Brynwood Drive, Suite 202
Rockford, Illinois 61114-5829

Phone (815) 637-1800
Fax (815) 637-1812

June 26, 2012

State Board of Elections
Attn: Campaign Disclosure
2329 South MacArthur Blvd.
Springfield, IL 62704

Re: Concerned Citizens for America #11321

Dear Ms. Steward,

Our organization is in receipt of your letter dated June 4, 2012, detailing the late filing of our March 2012 quarterly report of campaign contributions and expenditures.

As an attachment to this letter, a copy of our certified mailing receipt is being provided. It clearly shows the timely filing and receipt by your office of this report. I am also including the appeal affidavit and waiver of appearance forms per my earlier phone conversation with Jennifer Ronimous earlier today.

Based on the above facts, any fees and penalties assessed should be abated immediately. Should you have any further questions, please contact me.

Sincerely,

Leland L. Freberg
Leland L. Freberg, CPA
Certified Public Accountant
Limited Liability Company

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

STATE BOARD OF ELECTIONS
100 WEST RANDOLPH ST.
STE 14-100
CHICAGO IL 60601-3232

2. Article Number
(Transfer from service label)

7010 2780 0003 0744 1512

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *E. Guzman* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

E. Guzman

C. Date of Delivery

*4/11/12*D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

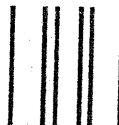
3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

FREBERG CPA LLC
6072 BRYNWOOD DR STE 202
ROCKFORD IL 61114-5829

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

12 MA 010

Citizens for Lane Harrison (ID 16951)
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the 2011 June Quarterly,
2011 September Quarterly and the 2011 December Quarterly Reports.


The 2011 June, September and December Quarterly Reports were received by the Board on February 24, 2012; 152, 89 and 26 days late respectively, resulting in a \$15,000 civil penalty.

Scott A Puma, Treasurer, filed a Request for Hearing and submitted an Appeal Affidavit. The appeal hearing was held on May 29, 2012.

Scott Puma and Lane Harrison, Candidate, appeared on behalf of the Respondent. Mr. Harrison testified the previous treasurer Hazel Frost passed away and he retained attorney Scott Puma from the law firm of Ancel, Glink, Dimaond, Bush, DiCianni & Krafthefer, P.C. to electronically file the reports. Through an oversight, the Committee failed to amend the D-1 Statement of Organization and the officer information and committee's address remained on file as Ms. Frost's residence. Mr. Puma testified on 6/10/11 he filed the 2011 March Quarterly report with the help of Board staff. Mr. Puma stated he attempted to timely file the 2011 June Quarterly report on his own and assumed the report was transmitted. He indicated he never received a confirmation notice but attributed this feature to the new IDIS 2.0 program. He never received a notice the report was late. During the second week of October 2011, Mr. Puma attempted to file the 2011 September Quarterly Report, however all the electronic data was erased. He contacted the Board for assistance and was instructed he would have to re-enter all previous data. Mr. Puma stated he entered the data and attempted to file the report. On November 7th Mr. Puma discovered the Board did not receive the report. Upon a second attempt, Mr. Puma experienced a SQL server error his office IT staff resolved the matter on February 24, 2012.

Three issues contributed to the delinquent filings. First, the Committee experienced an unforeseen change in Committee officers and failed to update the accurate contact information causing a disruption receiving the Board delinquent notices. Second, it appears Mr. Puma was not familiar with operating IDIS 2 and unaware of key features that may have alerted him of

unfiled reports or errors. Third, the Committee experienced several electronic filing issues that increased the length of time that IDIS was non-functioning, including a SQL server error and loss of data. This Committee has existed for 10 years without having filed a delinquent report and I believe the Committee's experienced a series of unfortunate events causing the violations. In order to be consistent with prior Board decisions when an electronic filing issue is presented as a defense and since this defense has not previously been offered, I recommend that the appeal be granted. Since the Committee is aware of the error and has amended the committee's address on record, it is unlikely the Board will look favorably upon the use of this defense a second time. (As of 3/31/12, this Committee reported a funds available balance of \$7,900.07).


Tara Molnar – Hearing Officer
June 13, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Lane Harrison
Hazel Frost
41561 N Sheridan Rd, Lot 105
Zion, IL 60099-1855

ID# 16951

Dear Citizens for Lane Harrison:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	June Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 24, 2012, 152 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee also failed to file the following documents during the requisite filing period:

Report Type:	September Quarterly Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2011 through September 30, 2011
Filing Period:	October 1, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 24, 2012, 89 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:	December Quarterly Report of Campaign Contribution and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 2, 2011 through January 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 24, 2012, 26 day(s) late. As such, this committee has been assessed a fine of \$5000.

The total for all new assessments is \$15,000.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18, you forfeit the right to contest this assessment.**

STATE OF ILLINOIS

COUNTY OF LAKE

STATE BOARD OF ELECTIONS

12 APR 11 AM 11:17

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant,

v.

CITIZENS FOR LANE HARRISON,

Respondents.

12MA 010
~~ID No. 46951.~~

16951

APPEAL AFFIDAVIT

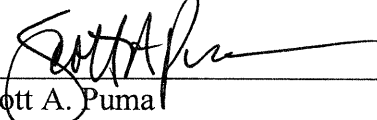
Scott A. Puma, of the law firm of Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C., the Treasurer of the Citizens for Lane Harrison Campaign Committee, first duly sworn on his oath deposes and states that he represents the said Campaign Committee and that he can offer good and reasonable defenses to the assessment of the civil penalty in this matter and that such reasons and defenses are as follows:

1. Citizens for Lane Harrison (the "Committee") have been assessed a civil penalty for late filing of campaign quarterly reports for the following:
 - a. June Quarterly Report, April 1, 2011 through June 30, 2011;
 - b. September Quarterly Report, July 1, 2011 through September 30, 2011;
 - c. December Quarterly Report, October 1, 2011 through December 31, 2011.
2. I became the de facto treasurer of the Committee due to the death of the former treasurer and I have attempted to comply and file reports and spent hours on the phone with staff of the State Board of Elections attempting to load the IDIS software and then attempted to file the reports. After filing the March Quarterly Report in 2011, the system seemed to take entries but apparently did not.
3. Thereafter, when a Notice of Delinquency was received, I had several more telephone conversations with representatives of the State Board of Elections in both Chicago and Springfield to try and rectify the problems as the IDIS icon existed on my computer but it would open and then apparently not save entries. Thus, our firm's IT manager attempted to rectify the problems so that the software was compatible on our system and so that the

reports could be filed. These efforts included but were not limited to deleting and reloading the software and revising our firm's internal system in attempts to allow the IDIS software to operate and to be compatible with our internal system.

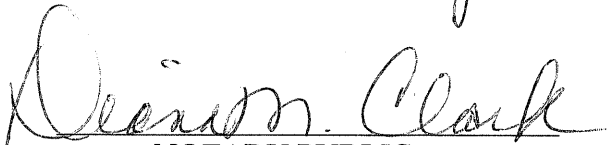
4. Numerous attempts were made to file the reports and the reports appeared to have been accepted.
5. The purpose of the Committee is to support Lane Harrison, the Mayor of the City of Zion, in his local campaign. The Committee has less than \$5,000.00 in its account at this point.
6. For the June 2011 quarterly filing, the Committee took in or received \$1,000.00. It has received no other contributions since then and for the June 2011 quarterly report and the reports thereafter, the Committee has expended a total of \$625.00 by four checks.
7. In accordance with Section 125.425d)5)D)ii) it is clear that the civil penalty is attributable to a computer error as there was no intention to violate the campaign disclosure laws of this state.
8. Given the limited funds of the Committee, a fine of \$15,000.00 is clearly inequitable and excessive.
9. To my knowledge, the Committee has never been assessed a civil penalty for a late filing or other reasons by the State Board of Elections.
10. The Committee has attempted to comply with the campaign disclosure requirements but was unable to do so due to computer compatibility issues between our firm's software and the IDIS software. Therefore, the Committee prays that the fine be waived or in the alternative that the fine be reduced to not more than 50% of the total amount of the delinquent reported contributions or \$500.00 and for such other and further relief as is just.

CITIZENS FOR LANE HARRISON



Scott A. Puma

SUBSCRIBED AND SWORN TO
Before me this 9th day of April, 2012



NOTARY PUBLIC



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ 122

Friends for Deborah E Woodruff
Respondent

ID# 18310

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on April 17, 2012, 1 day late, resulting in a civil penalty assessment of \$25. Additionally, the Committee had previously been assessed a \$250 civil penalty (not appealed, stayed) for delinquently filing the 2010 December Semi-Annual report. The total assessment is \$275.

John A Willard, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Willard states the Committee created the March 2012 Quarterly report in the IDIS software but when they attempted to file the report, the software would not upload. The following day the Committee contacted the Board and the error was corrected. The Quarterly report was filed.

In order to be consistent with previous Board rulings where an electronic filing defense is raised and since this Committee has not previously raised such a defense, I recommend the appeal be granted. If this recommendation is accepted by the Board, the stay would be returned to the previous \$250 civil penalty. (As of 3/31/12, this Committee reported a funds available balance of \$410.27.)



Kim Patrick – Hearing Officer
June 28, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends for Deborah E Woodruff

ID# 18310

Dear Friends for Deborah E Woodruff:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 17, 2012, 1 day late. As such, this committee has been assessed a fine of \$25.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5 you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously assessed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through December 31 2010	Semi-Annual	\$250
TOTAL AMOUNT NOW DUE		\$275

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director,
Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)
County of Kankakee)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

12 JUN 25 PM 3:46

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Friends for Deborah E. Woodruff ID #18310)
Respondent(s).)

Case No. 12MQ122

APPEAL AFFIDAVIT

I, John A. Willard, the Treasurer of the
(Name) (Chairman/Treasurer)

Friends for Deborah E. Woodruff ID #18310

(Name of the Committee)

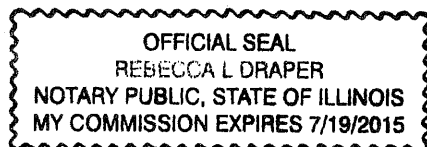
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

On the afternoon of April 16th, I had created the committee's first quarter 2012 report in the
IDIS software. However when I attempted to file the report, the software would not upload
for a reason unknown to me. The following morning of April 17th I contacted the SBE. The
error was corrected by following instructions from the SBE IDIS technician and the report was
filed. Neither I nor the Friends for Deborah Woodruff were at fault for the delayed filing.
I made every attempt to file within the allotted time and request that no fine be levied.

Signed and Sworn to by:

John Willard
before me this 2nd Day of
June, 2012
Rebecca Draper
Notary Public

John A. Willard
(Signature of Chairman/Treasurer)



BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 JQ 279

Citizens for Scott Lee Cohen (ID 21641)
Respondent

REPORT OF HEARING OFFICER


Appeal of Civil Penalty Assessment for Delinquently Filing the 2011 June Quarterly Reports

The report was received by the Board on October 16, 2011, 64 days late resulting in a \$1,600 civil penalty. Additionally, this Committee was assessed a \$500 civil penalty (not appealed, stayed) for delinquently filing the Pre-Election Report for the 2010 General Election. The total assessment is \$2,100.

Karen Reisman, Treasurer, filed a Request for Hearing and submitted an Appeal Affidavit. The appeal hearing was held on May 30, 2012.

Attorney James Nally and Kelly Tarrant, Finance Director, appeared on behalf of the Respondent. Ms. Tarrant testified that in October 2011 she took over the Committee's electronic filings. She indicated that the Committee's previous staff encountered IDIS errors they were unable to address and filed a paper report on 7/16/11. Upon attempting to file the September 2011 Quarterly report, Ms. Tarrant found the IDIS program unresponsive and the account was locked out. She contacted Board staff and by remote access they corrected a SQL server error and a new password was established. Ms. Tarrant stated the Committee did not receive an Electronic Filing Warning and did not realize the filing was delinquent until her intervention. Ms. Tarrant states the Committee has a zero balance and intends to file a Final Report.

To clarify, the Committee is required to file electronically and filed the report on paper. On 7/18/11 the Board issued an Electronic Filing Warning giving the Committee 30 days to file the report electronically; otherwise the paper report would be considered a non-filing. The Committee missed the 30 day electronic filing deadline. It appears the Committee did not adequately address the electronic filing issues timely. However, the report could have not been filed without Board staff intervention and the Committee employed experienced staff to address the filing issues. In order to be consistent with prior Board decisions when an electronic filing issue is presented as a defense and since this defense has not previously been offered, I recommend that the appeal be granted. If this recommendation is accepted by the Board, the stay will be returned to the first \$500 civil penalty. (As of 3/31/12, the Committee reported a funds available balance of \$0.00).


Tara Molnar – Hearing Officer
June 13, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Scott Lee Cohen
Karen L. Reisman
1500 Museum Dr
Highland Park, IL 60035

ID# 21641

Dear Citizens for Scott Lee Cohen:

As you have been previously notified, this committee failed to electronically re-file the following document as required:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provisions of Section 100.150 Rules & Regulations, it has been assessed a civil penalty for each day this report remained electronically unfiled. According to Board records, this report was electronically re-filed by your committee on October 16, 2011, 64 day(s) late. As such, this committee has been assessed a fine of \$1600.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18 you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
July 1 through October 3, 2010	Pre-Election	\$500
TOTAL AMOUNT NOW DUE		\$2100

If you have questions regarding the appeal process, please call Jenny Ronimous at 217/782-1543.

Sincerely;

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of COOK)

CHICAGO

2012 APR 16 PM 2:03

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs. Citizens for
Scott Lee Cohen

Case No. 11JQ279

Respondent(s).)

21641

APPEAL AFFIDAVIT

I, KAREN REISMAN, the TREASURER of the
(Name) (Chairman/Treasurer)

Citizens for Scott Lee Cohen
(Name of the Committee)

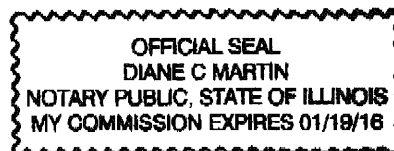
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

mitigating circumstances

Signed and Sworn to by:

before me this 9th Day of
April, 2012
Diane C. Martin
Notary Public

Karen Reisman
(Signature of Chairman/Treasurer)



**SBE Customer Module**

Pitchford, Erick <EPitchford@elections.il.gov>
To: "kelly.tarrant1@gmail.com" <kelly.tarrant1@gmail.com>

Tue, Oct 11, 2011 at 12:47 PM

 **SBE.zzz**
497K

Kelly Tarrant <kelly.tarrant1@gmail.com>
To: James Nally <jpnlaw@att.net>

Tue, May 29, 2012 at 8:30 PM

This was the person who worked out the glitches with Cohens software from the SBOE. The software is also attached, which I had to download onto the laptop.

----- Forwarded message -----

From: Pitchford, Erick <EPitchford@elections.il.gov>
Date: Tue, Oct 11, 2011 at 12:47 PM
Subject: SBE Customer Module
To: "kelly.tarrant1@gmail.com" <kelly.tarrant1@gmail.com>

Kelly Tarrant
Direct: 312-458-1215
Cell: 312-399-7363

55 W Monroe Ste 3600
Chicago, Illinois 60603

The Prairie Group Consulting, Inc

 **SBE.zzz**
497K

TITLE: SQL Server Import and Export Wizard

Could not retrieve table list.

ADDITIONAL INFORMATION:

Login timeout expired

A network-related or instance-specific error has occurred while establishing a connection to SQL Server. Server is not found or not accessible. Check if instance name is correct and if SQL Server is configured to allow remote connections. For more information see SQL Server Books Online.

SQL Server Network Interfaces: Error Locating Server/Instance Specified [x00000000]. (Microsoft SQL Server Native Client 10.0)

BUTTONS:

OK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

Alyssa P. Scott Lee Cohen
Complainant(s)

v.

No: 11 JQ 279
~~11 JQ 279~~

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S)

or

☒ RESPONDENT(S)

Alyssa P. Scott Lee Cohen
(insert name)

Check one: ☒ Attorney ☐ Pro Se

Name: James P. Walsh, Jr.

Address: 85 Michigan #3500

City/State/Zip: Chicago IL 60603

Telephone: 312-422-5560

Fax No.: 312-346-7999

Email address: jwalsh@att.net

Will you accept service of documents via FAX transmission? Check one: ☒ Yes ☐ No

[Signature]

Signature

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 AM 029

Citizens for Mary Kelley

ID# 22473

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Failure to File a Schedule A-1 Report

The Committee received a \$1,415.53 contribution on 3/21/12, but failed to report this on a Schedule A-1, resulting in a civil penalty assessment of \$707.76.

Cindy Fleshman, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Fleshman states the Committee held a fundraiser with two other committees. The contribution in question came from 1/3 of the fundraiser proceeds. She says no one entity provided more than \$150 toward any one of the three committees.

I agree the contribution represents fundraiser proceeds and is not subject to the A-1 reporting requirements. I recommend the appeal be granted. I also advise that in the future, the Committee report such monies as Not Itemized. (As of 3/31/12, this Committee reported a funds available balance of \$2,387.28)



Kim Patrick – Hearing Officer

June 13, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Mary Kelley

ID# 22473

Dear Citizens for Mary Kelley:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Citizens for Sally Litterly	3/21/2012	\$1415.53	*	2	\$707.76

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$707.76 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$71, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

State of Illinois)
 County of: Logan)

STATE BOARD OF ELECTIONS

12 JUN -7 AM 8:03

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
 ILLINOIS STATE BOARD OF ELECTIONS,)
)
 Complainant)
)
 Vs.)
)
CITIZENS FOR MARY KELLEY)
 Respondent(s).)

Case No. 12Am029

APPEAL AFFIDAVIT

I, CINDY FLESHMAN, the TREASURER of the
 (Name) (Chairman/Treasurer)

CITIZENS FOR MARY KELLEY

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

PLEASE SEE ATTACHED.

Cindy Fleshman
 Signature of Chairman/Treasurer

(217) 737-8525

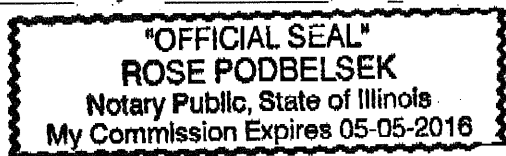
OR

(217) 737-4308

Signed and Sworn to by:

Rose Podbelsekbefore me this 6th Day of June, 2012

Notary Public
 (seal)



Appeal Affidavit

I, Cindy Fleshman, the Treasurer of the Citizens for Mary Kelley Committee, first being duly sworn, deposes and states that she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

On March 15, 2012 Mary Kelley, Sally Litterly, and Vicki Dugan hosted a fundraiser with the understanding that all proceeds would be deposited into Citizens for Sally Litterly and then divided equally between all three committees. Sally Litterly previously spoke with Sharon Steward who advised us as to the best way to handle the funds with the many contributions we were anticipating. Her recommendation was to deposit all into one account and then disburse equally between each committee.

On March 26, 2012 Citizens for Mary Kelley received a check from Citizens for Sally Litterly with Mary's share of the proceeds from the March 15th fundraiser. No one entity provided more than \$150 toward any one of the three committees. Therefore this amount of \$1,415.53 should not have been itemized on the D-2 report.

Respectfully submitted,



Cindy Fleshman

Treasurer for Citizens for Mary Kelley

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 AM 039

Committee to Elect Thomas Ganiere

ID#23718

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing a Schedule A-1 Report

The Committee received a \$2,500 contribution on 2/9/12 and reported it on a Schedule A-1 received by the Board on 3/9/12, 13 days late, resulting in a civil penalty assessment of \$1,250.

Thomas Ganiere, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Ganiere states the Committee should have entered the date received as 3/9/12 but inadvertently entered an incorrect date of 2/9/12. Mr. Ganiere provided a copy of the deposit slip showing the contribution being deposited on 3/9/12. In addition, the Committee has amended the March 2012 Quarterly report to reflect the correct receipt date.

Since this is legally considered to be the date of receipt, the Committee's Schedule A-1 was in fact filed on time. I recommend the appeal be granted. (As of 3/31/12, this Committee reported a funds available balance of \$2,560.56.)



Kim Patrick – Hearing Officer

June 14, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Committee to Elect Thomas Ganiere ID# 23718

Dear Committee to Elect Thomas Ganiere:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Illinois Federation of Teachers COPE	2/9/2012	\$2500	3/9/2012	13	\$1250

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1250 for delinquently filing schedule A-1 reports.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$125, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be ***stayed*** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of LaSalle)

STATE BOARD OF ELECTIONS

12 JUN 12 PM 12:35

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Committee to Elect Thomas Ganiere)
Respondent(s).)

Case No. 12AM039

APPEAL AFFIDAVIT

I, Thomas Ganiere, the Chairman & Treasurer of the
(Name) (Chairman/Treasurer)
Committee to Elect Thomas Ganiere
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

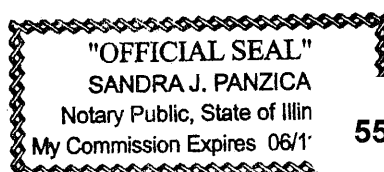
On the A-1 in question there was a typographical error. The "Date of Contribution" reported on the A-1 form of 2/9/12 is a typographical error and should have been reported as 3/9/12. I received the contribution and reported on the same date which was 3/9/12. It is my mistake and I regret making this mistake and ask the State Board of Elections to dismiss the complaint against the Committee and further request that the violation be removed from the file. If necessary I can obtain a copy of the canceled check from the Illinois Federation of Teachers COPE. I have attached a copy of the deposit slip showing the deposit date of 3/9/12. In addition I have filed an amended Quarterly report for the Quarter ended 3/31/12.

Signed and Sworn to by:

Tom Ganiere
before me this 11th Day of
JUNE, 2012

Sandra J. Panzica
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



COMMITTEE TO ELECT
THOMAS GANIERE
323 TAYLOR ST.
OTTAWA, IL 61350

DATE

Mar 9, 2012

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

ENDORSE & LIST CHECKS SEPARATELY OR
ATTACH LIST

OTTAWA SAVINGS BANK
825 LASALLE ST.
OTTAWA, IL 61350

	DOLLARS	CENTS
CURRENCY CROWLEY	100	00
COIN		
TOTAL CASH		
CHECKS		
1 BLEDONSTON	50	00
2 HAYWARD	100	00
3 Local 2	1000	00
4 DUDN	300	00
5 IFT	2500	00
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
TOTAL FROM OTHER SIDE OR ATTACHED LIST		
PLEASE RE-ENTER TOTAL HERE	TOTAL	4050.00

TOTAL
ITEMS

\$

4050.00

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE AND ANY APPLICABLE COLLECTION AGREEMENT.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

12 AM 041

Citizens to Elect Mike Nerheim
Respondent

ID# 23727

REPORT OF HEARING OFFICER

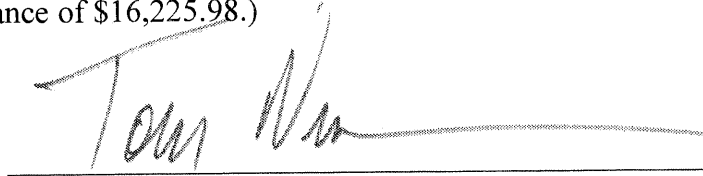
Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

The Committee received a \$4,185.07 contribution on 2/23/12 and reported it on a Schedule A-1 received by the Board on 4/4/12, 26 days late, resulting in a civil penalty assessment of \$2,092.53. The Committee also received a \$1,000 contribution on 3/29/12 and reported it on a Schedule A-1 received by the Board on 4/9/12, 2 days late, resulting in a civil penalty assessment of \$500. The total assessment is \$2,592.53.

Julie Kay Scroggins, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Scroggins states that the contributions in question were both in-kind contributions that were reported as soon as the Committee was notified of them. She includes dated copies of emails she received, reporting the contributions to her.

Section 100.120(d) of the Board's Rules and Regulations states in part, "*A contribution of goods or services (in-kind contributions) possession of which is not actually obtained by the recipient committee is deemed received on the date the public official, candidate or political committee received the notification of the contribution of goods or services...*" Based on the information provided, it appears likely the Committee inadvertently reported the two contributions using the dates on which two fundraisers were held, rather than the dates the committee received notification of the in-kind contributions. I therefore recommend the appeal be granted. However, I also recommend the committee be required to amend its March 2012 Quarterly Report to reflect the correct contribution dates, with such amendment to be filed within 30 days following the Final Board Order in this matter. (As of 3/31/12, this Committee reported a funds available balance of \$16,225.98.)



Tom Newman – Hearing Officer
June 28, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect Mike Nerheim

ID# 23727

Dear Citizens to Elect Mike Nerheim:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Smith & LaLuzerne	3/29/2012	\$1000	4/9/2012	2	\$500
Cancer Treatment Centers of America	2/23/2012	\$4185.07	4/4/2012	26	\$2094.53

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$2594.53 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$259, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

State of Illinois)
)
County of : _____)

STATE BOARD OF ELECTIONS
12 JUN 25 PM 3:46

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
)
CITIZENS TO ELECT MIKE NERHEIM)
Respondent(s).)

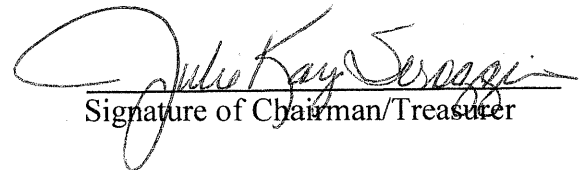
Case No. 12 AM 041
10th 23727

APPEAL AFFIDAVIT

I, JULIE KAY SCROGGINS, the TREASURER of the
(Name) (Chairman/Treasurer)
CITIZENS TO ELECT MIKE NERHEIM
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THE CONTRIBUTIONS IN QUESTION WERE "IN-KIND"
CONTRIBUTIONS THAT WERE REPORTED AS SOON AS
I WAS NOTIFIED. PLEASE SEE ATTACHED DOCUMENTATION.


Signature of Chairman/Treasurer

Signed and Sworn to by:

Melissa Roses

before me this 22nd Day of June, 2012

Notary Public
(seal)



Julie Scroggins

From: Lewis, Adriane [Adriane.Lewis@ctca-hope.com]
Sent: Wednesday, April 04, 2012 10:17 AM
To: Julie Scroggins
Subject: Mike Nerheim Event

Good morning,

Cancer Treatment Centers of America is pleased to confirm that we have contributed in-kind contributions of a value totaling \$4,185.07 for hosting a reception (room rental, food, and beverages) for Mike Nerheim Thursday, February 23, 2012 at Wynstone Country Club located at One Wynstone Drive, Barrington Hills, IL 60010.



Adriane Lewis

Office of the Vice Chairman / Executive Assistant
Cancer Treatment Centers of America®
1336 Basswood Rd., Schaumburg, IL 60173
O: (847)342-7441 F: (847)342-6441
E: emailaddress@ctca-hope.com W: cancercenter.com

Hospitals in Atlanta (Fall 2012), Chicago, Philadelphia, Phoenix and Tulsa

The information contained in this communication is confidential and does not apply to anyone other than the intended recipient. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by reply e-mail or telephone and destroy all copies of the original message.

Julie Scroggins

Subject: FW: Glen Flora Fundraiser

From: Lori Nerheim [mailto:lori.nerheim@comcast.net]
Sent: Friday, April 06, 2012 8:06 AM
To: Julie Scroggins
Subject: Fwd: Glen Flora Fundraiser

Hi, Julie.

Quick update.

Mike received a letter from Chuck yesterday at 438 saying they will pay \$1,000 toward the cost of roughly \$1,400 total Glen Flora cost (he has the exact amount).

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ 264

Friends of Ken Snider
Respondent

ID# 24140

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on April 17, 2012, 1 day late, resulting in a civil penalty assessment of \$25.

Dale A Snider, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Snider states the Committee had problems installing the IDIS software. After contacting the Board and getting assistance with installation of the software, the Quarterly report was successfully filed the next day following the deadline.

In order to be consistent with previous Board rulings where an electronic filing defense is raised and since this Committee has not previously raised such a defense, I recommend the appeal be granted. (As of 3/31/12, this Committee reported a funds available balance of \$571.05.)



Kim Patrick – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

Friends of Ken Snider

ID# 24140

Dear Friends of Ken Snider:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 17, 2012, 1 day late. As such, this committee has been assessed a fine of \$25.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of: MACON)

STATE BOARD OF ELECTIONS

12 JUN 28 PM 2:45

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
FRIENDS OF KEN SNIDER)
Respondent(s).)

Case No. 12 MQ 264

APPEAL AFFIDAVIT

I, DALE A. SNIDER, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
FRIENDS OF KEN SNIDER
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THERE WAS AN APPARENT PROBLEM ON 4/16/12 WITH THE IDIS
SERVER WHICH PREVENTED THE DOWNLOADING OF THE 2.0 PROGRAM
TO THE CANDIDATE'S COMPUTER, AS WELL AS THE COMPUTERS OF
A PRIVATE CONSULTANT AND ALSO OF A WEBSITE DESIGNER, UNTIL
APPROXIMATELY 7:00AM ON 4/17/12. PLEASE REVIEW THE ATTACHMENT.

Dale A. Snider
Signature of Chairman/Treasurer

Signed and Sworn to by:
Ayla Kanllakan
before me this 28 Day of JUNE, 201

Notary Public
(seal)



ATTACHMENT

ON 1/19/12 THE "FRIENDS OF KEN SNIDER" COMMITTEE WAS CREATED WITH DALE SNIDER AS CHAIRMAN AND DAVID SNIDER AS TREASURER.

ON 3/6/12 DAVID SNIDER WAS REPLACED AS TREASURER BY JANET SNIDER BY D-1 AMENDMENT. ALSO ON 3/6/12 CANDIDATE KEN SNIDER REPORTED A \$5000.00 LOAN BY SCHEDULE A-1 AT THE STATE BOARD OF ELECTIONS WITH THE ASSISTANCE OF CAMPAIGN DISCLOSURE SPECIALIST JOHN LEVIN (217-782-1561). AT THIS TIME MR. LEVIN EXPLAINED THE SIMPLE PROCESS OF DOWNLOADING THE IDIS 2.0 PROGRAM FOR THE REQUIRED ELECTRONIC REPORTING.

NEITHER MY WIFE, TREASURER JANET SNIDER, OR MYSELF USE COMPUTERS SO THE TASK OF ELECTRONIC REPORTING FELL TO CANDIDATE KEN SNIDER. AS TREASURER, JANET SNIDER KEPT METICULOUS WRITTEN RECORDS OF CAMPAIGN DONATIONS, AND KEN SNIDER RECORDS EXPENDITURES. ALL NECESSARY INFORMATION WAS PREPARED AND COMPLETE FOR ELECTRONIC FILING BY 4/16/12.

DURING THE MORNING HOURS OF 4/16/12, KEN SNIDER BEGAN ATTEMPTS TO DOWNLOAD THE IDIS 2.0 PROGRAM ONTO HIS LAPTOP COMPUTER AS INSTRUCTED BY MR. LEVIN. THESE ATTEMPTS WOULD TAKE APPROXIMATELY 45 MINUTES TO 1 HOUR EACH AND END UNSUCCESSFULLY WITH "UNABLE TO CONNECT TO THE SERVER". THIS CONTINUED THROUGH THE NOON HOUR.

AFTER THE NOON HOUR, KEN SNIDER BEGAN CALLING THE BOARD OF ELECTIONS AND SPOKE ON MULTIPLE OCCASIONS WITH TOM NEWMAN (217-782-1558), AND ON ONE OCCASION WITH MR. LEVIN. BOTH GENTLEMEN WERE VERY HELPFUL, BUT NONE OF THEIR INSTRUCTIONS OR SUGGESTIONS RESULTED IN A SUCCESSFUL DOWNLOAD. THESE CONTACTS ENDED SHORTLY BEFORE 5:00 PM, AT WHICH TIME THE OFFICE CLOSED.

AFTER 5:00 PM ON 4/16/12, KEN SNIDER TOOK HIS INFORMATION TO A PRIVATE COMPUTER CONSULTANT, STEPHEN

UNABLE TO ACCESS THE IDIS SERVER ON KEN SWIDEN'S COMPUTER, BUT MR. ARNETT WAS ALSO UNABLE TO DOWNLOAD THE IDIS 2.0 PROGRAM ON HIS COMPUTER AFTER KEN SWIDEN ENTERED THE FILER ACCOUNT NAME AND PASSWORD PREVIOUSLY ESTABLISHED WITH MR. LEVIN ON 3/6/12, AND CONFIRMED AS ACCURATE BY MR. NEWMAN ON 4/16/12. MULTIPLE ATTEMPTS WERE MADE SHORTLY AFTER 8:00 PM ON 4/16/12, KEN SWIDEN AND MR. ARNETT WERE JOINED BY JACOB HAINSFURTH (217-825-8197), MR. HAINSFURTH WAS KEN SWIDEN'S WEBSITE DESIGNER AND COORDINATOR. MR. HAINSFURTH WAS UNABLE TO DOWNLOAD THE IDIS PROGRAM ONTO EITHER SWIDEN'S OR MR. ARNETT'S COMPUTER. AT APPROXIMATELY 10:00 PM, MR. HAINSFURTH INITIATED ATTEMPTS TO DOWNLOAD THE IDIS 2.0 PROGRAM ONTO HIS OWN COMPUTER WITH NO SUCCESS. AT APPROXIMATELY MIDNIGHT ATTEMPTS TO DOWNLOAD IDIS 2.0 WERE CEASED.

AT APPROXIMATELY 7:00 AM ON 4/17/12, KEN SWIDEN RESUMED ATTEMPTS TO DOWNLOAD THE IDIS 2.0 PROGRAM ON HIS COMPUTER. FOR UNEXPLAINED REASONS, THE SERVER WAS ACCESSED ON THE FIRST ATTEMPT THAT MORNING AND THE PROGRAM WAS DOWNLOADED. THERE WAS ABSOLUTELY NO CHANGE IN THE PROTOCOLS USED, AND THE FILER ACCOUNT NAME AND PASSWORD REMAINED THE SAME. THIS INDICATES PERHAPS THE PROBLEM WAS WITH THE IDIS SERVER AND NOT THE SWIDEN, ARNETT OR HAINSFURTH COMPUTER.

KEN SWIDEN IMMEDIATELY BEGAN ENTERING THE REQUIRED INFORMATION SHORTLY AFTER 7:00 AM ON 4/17/12, AND THEN ELECTRONICALLY FILED THE QUARTERLY REPORT.

IT WAS THE INACCESSIBILITY OF THE IDIS 2.0 DOWNLOAD NOT A LACK OF ATTENTION OR GOOD FAITH EFFORT THAT COMPLICATED A SIMPLE PROC NO IS THE BASIS OF THIS APPEAL. I RESPECTFULLY REQ. YOUR FAVORABLE

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 AM 002

Cook County Democratic Party
Cmte ID: 163
Respondent

REPORT OF HEARING OFFICER

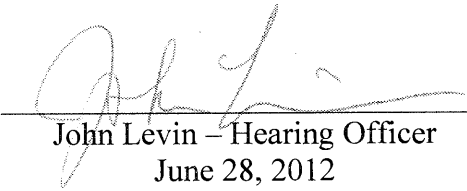
Appeal of Civil Penalty Assessment
For Delinquently Filing A-1 Reports

The Schedule A-1 Reports related to ten (10) receipts dated March 1, 2012, were each received four business days late. The total fine amount is \$38,500. The Committee had not been previously assessed.

Joseph Berrios, the Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Berrios stated the individual responsible for filing the Schedule A-1 Reports intended to file them on March 5, 2012, in a timely manner but was unexpectedly out of the office until a later date. Upon learning later in the week that the Reports had not been filed she immediately contacted the Committee's accountant and forwarded him information required to prepare the A-1, which were filed the next day.

I recommend the appeal be denied for lack of an adequate defense. I accept the Committee's assertion the A-1s were inadvertently filed late and note the Committee's lack of prior assessments. The Committee will be given credit for its prior history of consistent timely filings. Since this is the Committee's first delinquent occurrence of Schedule A-1 reporting, the civil penalty, if this recommendation is accepted, would automatically be reduced to \$3,850. As of March 31, 2012, the Committee's cash balance was reported as \$376,500.25.



John Levin – Hearing Officer
June 28, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Cook County Democratic Party

ID# 163

Dear Cook County Democratic Party:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Citizens for Casey Griffen	3/1/2012	\$5000	3/10/2012	4	\$2500
Citizens for Judge Erica L Reddick	3/1/2012	\$12000	3/10/2012	4	\$6000
Citizens to Elect Diann K Marsalek	3/1/2012	\$5000	3/10/2012	4	\$2500
Committee to Elect Jesse G Reyes	3/1/2012	\$5000	3/10/2012	4	\$2500
Committee to Elect Maureen E Connors	3/1/2012	\$5000	3/10/2012	4	\$2500
Cmte to Elect Nathaniel R Howse Jr	3/1/2012	\$5000	3/10/2012	4	\$2500
Friends for Forti	3/1/2012	\$10,000	3/10/2012	4	\$5000
Friends of Dorothy Brown	3/1/2012	\$10,000	3/10/2012	4	\$5000
Friends of Russell W Hartigan	3/1/2012	\$10,000	3/10/2012	4	\$5000
Patrick Daley Thompson Campaign Cmte	3/1/2012	\$10,000	3/10/2012	4	\$5000

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$38,500 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$3850, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

State of Illinois)
County of Cook)

STATE BOARD OF ELECTIONS

12 JUN 27 AM 10:13

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

vs.

Cook County Democratic Party

Respondent(s).

No. 12 PM 002

APPEAL AFFIDAVIT

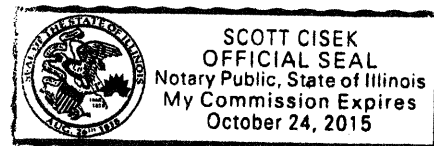
I, Joseph Berrios, the Chairman of the
(Name) (Chairman/Treasurer)

Cook County Democratic Party

(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please see attached sheet.



Subscribed and Sworn to Before me
This 22 Day Of JUNE, 2012

Scott Cisek
NOTARY PUBLIC

(Signature of Chairman/Treasurer)

ATTACHMENT TO APPEAL AFFIDAVIT FILED BY
THE COOK COUNTY DEMOCRATIC PARTY

We are in receipt of your letter dated June 4, 2012 in which we were advised that we had been assessed a penalty for delinquent filing a Schedule A-1 report as required by the Illinois Campaign Disclosure Act. We respectfully request that this penalty be abated. We will explain the situation in this appeal.

The accounting functions of the Cook County Democratic Party are performed by a part time administrative person. This person's responsibilities include the payment of invoices and the deposit of contributions and other related cash receipts. This information is then compiled and forwarded to an outside accountant who assists the organization in filing the required quarterly Forms D-2 and the Schedule A-1's.

The current administrative person was out of the office for an unexpected extended period of time. Her last day in the office was March 1, 2012. On this date she made a bank deposit. This deposit included amounts that needed to be reported on Schedule A-1. Her intent was to have this filing done on Monday, March 5, 2012 when she returned to the office. When she returned to the office later in the week, she realized that the filing of the required Schedule A-1 had not occurred. She immediately contacted the outside accountant and forwarded to him the information needed to file the required Schedule A-1. The filing was done the next day.

Since the late filing of Schedule A-1 was due to an inadvertent clerical error on the part of our administrative person and was corrected as soon as the error was discovered, we respectfully request that this penalty be abated. We have a history of timely filing all reports and have instituted procedures so that this type of error will not occur in the future.

If you require any additional information regarding this matter, please do not hesitate to contact us. We have also attached an executed Waiver of Appearance form.

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ 020

Springfield & Central IL Trades
& Labor Council AFL-CIO
Respondent

ID# 935

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on April 23, 2012, 5 days late, resulting in a civil penalty assessment of \$250.

Rosetta Shinn, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Shinn states the Committee has a new treasurer and did not receive the Email notification. The Committee has updated their Email address and says this will not happen in the future.

I recommend the appeal be denied for lack of an adequate defense. It is the responsibility of the Committee to keep their Email address current with the Board to ensure they receive the Email notifications. As a first violation, the penalty is stayed. (As of 3/31/12, this Committee reported a funds available balance of \$9,032.20)



Kim Patrick – Hearing Officer
June 20, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Springfield & Central IL Trades & Labor Council AFL-CIO ID# 935

Dear Springfield & Central IL Trades & Labor Council AFL-CIO:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 23, 2012, 5 days late. As such, this committee has been assessed a fine of \$250.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be **stayed**. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

12 JUN 19 PM 2:36

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs. Springfield & Central IL Trades)

+ Labor Council AFL-CIO)

935 Respondent(s).)

Case No. 12 MQ 020

APPEAL AFFIDAVIT

I, Rosetta A. Shinn, the Treasurer of the
(Name) (Chairman/Treasurer)

Springfield & Central IL Trades and Labor Council AFL-CIO
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

New treasurer and I did not receive email,
changed email address so this does not
happen in future.



Signed and Sworn to by:
Rosetta A. Shinn
before me this 19th Day of
June, 2012.
Cheryl Kay Walker
Notary Public

Rosetta A. Shinn
Rosetta A. Shinn
(Signature of Chairman/Treasurer)

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 AD 014

Moraine Township Democratic Organization
Respondent

ID# 6630

REPORT OF HEARING OFFICER

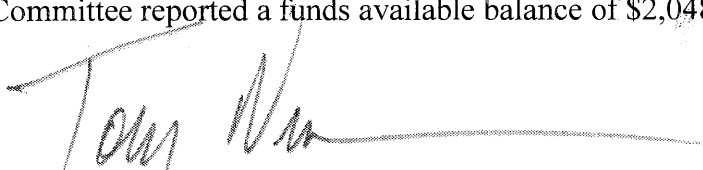
Appeal of Civil Penalty Assessment for Delinquent Filing of a Schedule A-1 Report

The Committee received a \$1,200 contribution on 10/3/11 and reported it on a Schedule A-1 received by the Board on 12/14/11, 43 days late, resulting in a civil penalty assessment of \$600. Additionally, the Committee had previously been assessed a \$60 civil penalty (not appealed, stayed) for delinquently filing a Schedule A-1 in the second quarter of 2011. The total assessment is \$660.

Dwayne Douglas, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Douglas states that the late filing of the Schedule A-1 was the result of an oversight on the part of volunteers who assist him with his Committee duties. He says when he became aware of the contribution, he took immediate steps to file the A-1. Mr. Douglas adds that the violation was inadvertent.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the second A-1 violation for this Committee, I further recommend the penalty be reduced to 50% of the assessed amount, or \$300. If these recommendations are accepted by the Board, the stay would be lifted from the earlier penalty and the total assessment of \$360 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$2,048.21.)



Tom Newman – Hearing Officer
May 9, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Moraine Twp Democratic Org
Dwayne Douglas
325 Washington St, Ste 310
Waukegan, IL 60085

ID # 6630

Dear Moraine Twp Democratic Org:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Tenth Congressional District Democrats State PAC	10/3/2011	\$1200	12/14/2011	43	\$600

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$600 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$300, (50% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18, you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
April 1 through June 30, 2011	Schedule A-1	\$60
TOTAL AMOUNT NOW DUE		\$360

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

STATE BOARD OF ELECTIONS

12 APR 20 PM 2:25

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant,)

-vs-)

MORaine TOWNSHIP DEMOCRATIC)

ORGANIZATION,)

Respondent.)

Case No.

12A0014

APPEAL AFFIDAVIT

I, DWAYNE DOUGLAS, the Treasurer of the Moraine Township Democratic Organization, being first duly sworn, deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. Our committee was established October 22, 1990.
2. At all times, I, and the volunteers who assist me in the execution of my duties, endeavor to promptly report to the State Board of Elections pursuant to applicable statutes and regulations.
3. With respect to the two A-1 reports that are the subject of the March 19, 2012 correspondence from the Director of the Campaign Disclosure Division, at the time that the contributions were received by our committee, the volunteers who assist me in the execution of my duties had a good faith belief that they were at all times proceeding as required pursuant to applicable statutes and regulations.
4. When information subsequently came to my attention that led me to conclude that information should be reported to the State Board of Elections in an A-1 report, I took immediate action to file A-1 reports with the State Board of Elections.
5. Since the filing of the A-1 reports at issue, I have communicated to those who assist me in the execution of my duties my understanding of when our committee is obligated to file A-1

reports, as evidenced by the timely filing of an A-1 report on February 2, 2012.

6. Per Title 26, Chapter I, Part 125, Section 125.425 of the Illinois Administrative Code, in considering the amount of any civil penalty to be imposed, the State Board of Elections should consider that the filing of any A-1 reports beyond the statutory deadline was merely inadvertent, and as a result, it may waive the fine in such circumstances.

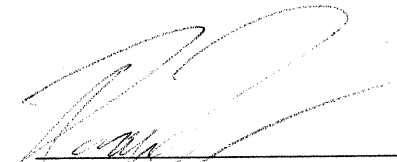
7. While the State Board of Elections can consider past violations, it should be considered that at issue are only two A-1 reports in 2011, and no issues with the tardy filing of A-1 reports beyond the statutory deadline for the preceding twenty-one years.

8. Per Title 26, Chapter I, Part 125, Section 125.425 of the Illinois Administrative Code, in considering the amount of any civil penalty to be imposed, the State Board of Elections should consider that there was no willful or wanton conduct on the part of the committee.

9. Per Title 26, Chapter I, Part 125, Section 125.425 of the Illinois Administrative Code, in considering the amount of any civil penalty to be imposed, the State Board of Elections should consider that the committee did attempt to disclose the contributions at issue in A-1 reports, and in fact did so in A-1 reports filed on July 14, 2011 and December 14, 2011, and in that regard, it attempted to correct the violation.

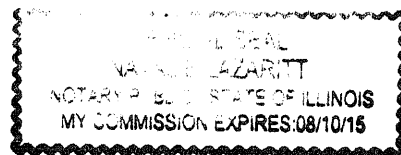
10. Per Title 26, Chapter I, Part 125, Section 125.425 of the Illinois Administrative Code, in considering the amount of any civil penalty to be imposed, the State Board of Elections should consider that the violation should be deemed to be attributed to a clerical error as noted above.

11. Further affiant saith not.


Dwayne Douglas

SUBSCRIBED AND SWORN to before me
this 18 day of April, 2012.


NOTARY PUBLIC



DWAYNE DOUGLAS
Attorney Number 6205491
WEINSTEIN & DOUGLAS
325 Washington Street, Suite 301
Waukegan, Illinois 60085
847.336.4343



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ 028

Citizens for Schussler
Respondent

ID# 4504

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on April 18, 2012, 2 days late, resulting in a civil penalty assessment of \$50.

Edward G Schussler, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Schussler states the Committee did not receive notice regarding the due date for the March 2012 Quarterly report. He also adds the Treasurer had two major surgeries and all prior filings have been timely from the Committee

I recommend the appeal be denied for lack of an adequate defense. The Committee was mailed notification of the upcoming March 2012 Quarterly report on February 27, 2012. As a first violation, the penalty is stayed. (As of 3/31/12, this Committee reported a funds available balance of \$3,828.03)



Kim Patrick – Hearing Officer
June 25, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

Citizens for Schussler

ID# 4504

Dear Citizens for Schussler:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 18, 2012, 2 days late. As such, this committee has been assessed a fine of \$50.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
)
County of COOK)

STATE BOARD OF ELECTIONS

12 JUN 20 PM 12:41

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12 MQ 028

Citizens For Schussler)

4504 Respondent(s).)

APPEAL AFFIDAVIT

I, Edward G. Schussler, III, the Chairman of the
(Name) (Chairman/Treasurer)

Citizens For Schussler

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. For all prior reports either the Committee, the Chairman or the Treasurer has received a notice of the due date.
2. Neither the Committee, the Chairman or the Treasurer received notice regarding the due date for the 1st Quarter 2012 report.
3. During the 1st Quarter of 2012 the Treasurer of this Committee had two major surgeries.
4. On April 18, 2012 the Chairman received a call from the State Board of Elections indicating that the 1st Quarter 2012 report had not been filed and the required report was prepared and filed that same day.

Signed and Sworn to by: 5. All prior reports and filings for this Committee have been filed in a timely manner.

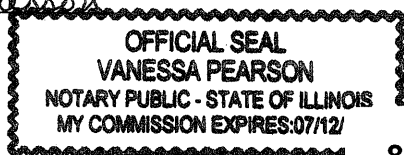
EDWARD G. SCHUSSLER III
before me this 15th Day of

June, 2012

Vanessa Pearson

Notary Public

Edward G. Schussler III
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

11 DQ 110

Friends of District 214 20059
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
The December 2011 Quarterly Report

The Report was received by the Board on February 15, 2012, 20 days late, resulting in a civil penalty assessment of \$500. Additionally, the Committee had previously been assessed a \$75 civil penalty (appealed, denied, paid) for failing to file a Schedule A-1 during the 1st Quarter of 2011; a \$67 civil penalty (appealed, denied, paid) for failing to file a Schedule A-1 during the 1st Quarter of 2011. The total assessment is \$500.

F. Daniel Petro, the treasurer, appeared at the May 29th appeal hearing.

Daniel Petro indicated that the former treasurer claimed he filed the report on time electronically. The former treasurer was in Germany and believed he had completed the electronic filing submission of the report and he had no idea that the report was not filed until the Committee received notice from the Board. The former treasurer really struggled with the electronic filing program and it is Mr. Petro's belief that the former treasurer attempted to file the report electronically, but did not completely understand how to operate the program. Mr. Petro could not provide any details regarding the attempted filing other than the prior treasurer had indicated that he thought he had filed the report while he was out of the country.

Section 100.150(c)(5) of the Rules accompanying the Illinois Campaign Finance Act reads, in part, "If a committee is assessed a civil penalty for delinquently filing a report required to be filed electronically and, in the course of its appeal raises the defense that computer related issues (including but limited to, software, firewalls, system failures) prohibited the timely filing of an electronic report, the Board may consider that defense when determining the final outcome of the appeal.)" The Committee did not establish extenuating circumstances that resulted in the late filing beyond merely having difficulty using the IDIS program and their belief the prior treasurer had submitted the report. I recommend the appeal be denied. If this recommendation is accepted by the Board, the total amount of \$500 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$189.)



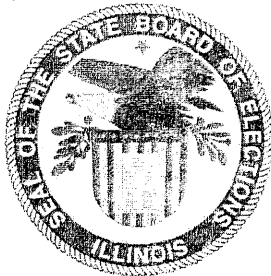
Andy Nauman – Hearing Officer

June 25, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd., P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of District 214
Gil Riley
1518 W Roanoke Dr
Arlington Heights, IL 60004-2821

ID# 20059

Dear Friends of District 214:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	December Quarterly Report of Campaign Contribution and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 2, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 15, 2012, 20 day(s) late. As such, this committee has been assessed a fine of \$500.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18 you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Steward".

Sharon Steward, Director,
Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of COOK)

CHICAGO
2012 APR -9 PM 12:43
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
FRIENDS OF DISTRICT 214)
20059 Respondent(s).)

Case No. 12 DQ110

APPEAL AFFIDAVIT

I, PATTI BURKAMP, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
FRIENDS OF DISTRICT 214
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

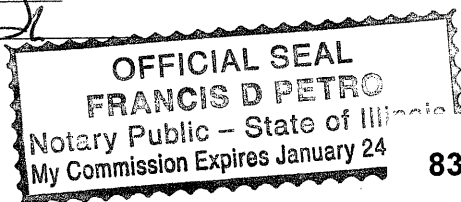
FORMER TREASURER CLAIMED HE FILED REPORT ON
TIME. FAILURE TO FILE WAS INADVERTENT. TREASURER COMPLETED
D-2 FORM FOR FILING AND THOUGHT IT WAS ACCEPTED FOR FILING
ELECTRONICALLY. APPARENTLY, REPORT NOT RECEIVED. NOTHING TO
REPORT FOR 4TH QUARTER. SEEMS VERY UNFAIR TO PENALIZE FOR
FAILING TO DISCLOSE NOTHING.

Signed and Sworn to by:

PATTI BURKAMP
before me this 4th Day of
April, 2011

Notary Public

Patti Burkamp
(Signature of Chairman/Treasurer)



STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

12 AM 022

Friends of John Shaw ID# 20952
Respondent

REPORT OF HEARING OFFICER

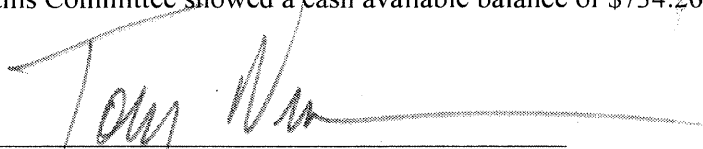
Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

The Committee received a \$3,000 contribution from John Shaw on 1/7/12, and a \$3,245.08 contribution from John Shaw on 3/12/12, and reported both on a Schedule A-1 received by the Board on 4/16/12, 62 and 23 days late respectively, resulting in a civil penalty assessment of \$3,122.54.

V Gregory McKnight, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. McKnight states that the candidate, Mr. Shaw, has essentially self-funded his Committee through a series of personal loans. Mr. McKnight says neither he nor Mr. Shaw were aware that such loans constituted "contributions" under disclosure law. He says they thought "contributions" only meant donations from individuals not connected to the Committee. Mr. McKnight adds that although the Committee is aware of one similar instance happening back in 2008, it occurred because an individual in his office at the time was not aware of the filing rules, and that person no longer works for the campaign.

Campaign disclosure law makes no distinction between money given to a Committee by its own candidate and money given by an individual not connected to the Committee – both are considered to be contributions and both must be reported accordingly. In cases where a Committee is assessed a penalty for failing to timely file a Schedule A-1 to report loans from the candidate, past Board practice has been to allow a one-time amnesty. This Committee was granted such an amnesty in 2008, and the letter sent to the Committee at that time stated in part, *"Please be aware that contributions, loans, or in-kind contributions from a candidate to their own committee are treated the same as other contributions, and must therefore be reported on a Schedule A-1... This is a one-time amnesty – if similar violations occur again, the committee will be assessed fines normally."* The Committee was therefore duly notified of the filing requirements. I recommend the appeal be denied. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1 violations for this Committee, I further recommend the penalty be reduced to 10% of the original assessment, or \$312. If these recommendations are accepted by the Board, the \$312 civil penalty will be due and owing. (As of 3/31/12, this Committee showed a cash available balance of \$734.26.)


Tom Newman – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 S. Spring Street
PO Box 4187
Springfield, Illinois 62708-4187
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White
October 2, 2008

Friends of John Shaw
8270 E Highpoint Rd
Yorkville, IL 60560

L14480

Dear Friends of John Shaw;

This committee has failed to file the following Schedule A-1, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
John Shaw	1/29/08		\$5000.00		3
John Shaw	2/1/08		\$1921.63		1

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

However, since the contribution(s) in this instance were from the candidate to their own committee, and since the committee has not previously been cited for this type of violation, ***no civil penalty will be assessed for this violation at this time.*** The committee could have been fined a total of \$6921.63 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act.

Please be aware that contributions, loans, or in-kind contributions from a candidate to their own committee are treated the same as other contributions, and must therefore be reported on a Schedule A-1 if they total more than \$500.00 within the 30 days preceding an election. ***This is a one-time amnesty – if similar violations occur again, the committee will be assessed fines normally.*** If you have any questions regarding this notice, please feel free to contact the Campaign Disclosure Division at (217) 782-4141. Thank you.

Sincerely;

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller, Director
Campaign Disclosure Division

RTB:sm

State of Illinois)
County of: KENDALL)

STATE BOARD OF ELECTIONS

12 JUN 25 PM 3:19

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.) Case No. _____)
FRIENDS OF JOHN SHAW)
Respondent(s).)

APPEAL AFFIDAVIT

I, V. GREGORY MCKNIGHT, the TREASURER of the
(Name) (Chairman/Treasurer)
FRIENDS OF JOHN SHAW
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SEE ATTACHED

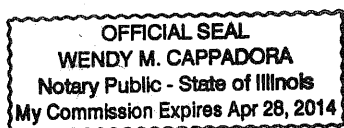
V. Gregory McKnight
Signature of Chairman/Treasurer

Signed and Sworn to by:

Wendy M. Cappadora

before me this 22nd Day of June, 2012

Notary Public
(seal)



FRIENDS OF JOHN SHAW
8270 E. Highpoint Road
Yorkville, IL 60560

June 22, 2012

State Board of Elections
Attn: Campaign Disclosure
2329 S. MacArthur Blvd
Springfield, IL 62704-4503

Dear Board Members:

The Friends of John Shaw committee recently received a notice of civil penalty, a copy of which is attached to this letter. We wish to request a waiver of this penalty.

This committee is for a county board seat in Kendall County, Illinois. Most of the cash receipts this committee received came directly from the candidate John Shaw. In fact since 2008 the committee has received loans from John Shaw in the amount of \$22,375.79 and has not repaid any of the monies loaned to the committee. The committee receives very few contributions from individuals. Mr. Shaw essentially funds the minimal cost of running for office through loans to the committee.

For the period ended 3/31/2012 report, the committee received loans from Mr. Shaw in the amount of \$6,245.08 upon which the penalty is assessed. Neither Mr. Shaw nor I were aware that loan proceeds constituted "contributions" under the State Board of Elections rules. We are now aware of this fact. Mr. Shaw and I honestly viewed loan proceeds as simply that. We took the term "contributions" to mean donations from individuals not connected to the committee.

The committee is aware of one other instance back in 2008 when contributions reports were considered delinquent by 1 and 3 days. This happened because an individual in my office was not aware of the rules regarding timely filing of forms. That person no longer works for this campaign.

In light of the fact that this error was not intentional and did not represent contributions from persons outside of the campaign we ask for the penalty to be waived. This committee has virtually no activity between elections. We are now clearly aware of the rules regarding loans to the committee and will comply with the A1 filing requirements on a timely basis going forward.

Respectfully,



V. Gregory McKnight
Treasurer

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 DQ 138

Alsip Coalition for Excellence

ID# 21766

Respondent

REPORT OF HEARING OFFICER

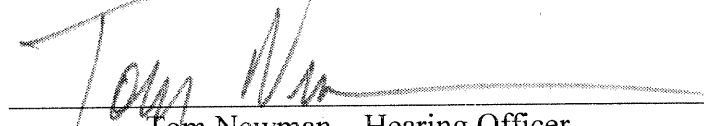
Appeal of Civil Penalty Assessment for Delinquent Filing of the
December 2011 Quarterly Report

The Report was received by the Board on January 22, 2012, 3 days late, resulting in a civil penalty assessment of \$75. Additionally, the Committee had previously been assessed a \$200 civil penalty (not appealed, stayed) for delinquent filing of the September 2011 Quarterly Report. The total assessment is \$275.

James Quinn, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Quinn states that he believed the Committee had been closed in July of 2011. He says the Committee had a zero balance since that time, and although there were errors in some previous filings those have all been corrected and a Final Report filed as of April 16, 2012.

Although the Committee reported no activity during the last half of 2011, no Final Report had been filed, meaning the Committee was required to continue filing Quarterly Reports as they came due. The Committee should have been aware of this, especially after it was assessed a penalty for late filing of the September Quarterly Report. I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay would be lifted from the earlier assessment and the \$275 civil penalty will be due and owing. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of two years following the Board order imposing the fine, the fine be abated. (As of 4/16/12, this Committee reported a funds available balance of \$0.)



Tom Newman – Hearing Officer

May 14, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd., P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Alsip Coalition for Excellence
William Reppen
11511 S Lawyer Ave
Alsip, IL 60803

ID# 21766

Dear Alsip Coalition for Excellence:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	December Quarterly Report of Campaign Contribution and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 2, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 22, 2012, 3 day(s) late. As such, this committee has been assessed a fine of \$75.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18 you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously assessed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through September 30, 2011	Quarterly	\$200
TOTAL AMOUNT NOW DUE		\$275

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Steward".

Sharon Steward, Director,
Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of COOK)

STATE BOARD OF ELECTIONS
12 APR 19 PM 3:00

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12 OQ 138

ALSIIP COALITION FOR EXCELLENCE
Respondent(s).)

27706

APPEAL AFFIDAVIT

I, JAMES QUINN, the CHAIRMAN of the
(Name) (Chairman/Treasurer)

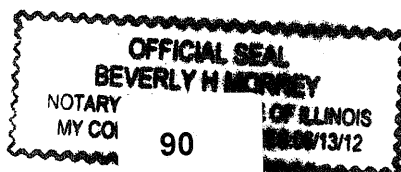
ALSIIP COALITION FOR EXCELLENCE
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THE COMMITTEE THOUGHT THAT THE COMMITTEE HAD
BEEN CLOSED IN JULY OF 2011. THERE WERE
MISTAKES IN PREVIOUS FILINGS. THE COMMITTEE HAS HAD
A ZERO BALANCE SINCE JUNE OF 2011. ALL ERRORS HAVE
BEEN CORRECTED AND COMMITTEE CLOSED AS OF 4-16-12

Signed and Sworn to by:
JAMES QUINN
before me this 17th Day of
April, 2012
Beverly H. Morrey
Notary Public

James Quinn
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 MQ 211

Friends of August H Griffin for
Edgar County Clerk

ID# 22674

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on April 20, 2012, 4 days late, resulting in a civil penalty assessment of \$200. Additionally, the Committee had previously been assessed a civil penalty of \$75 (not appealed, stayed) for delinquently filing the December 2010 Semi Annual Report. The total assessment is \$275.

August H Griffin, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Griffin states he was preoccupied as Edgar County Clerk with conducting the March 2012 Primary Election. He also adds that he misplaced the paperwork and forgot to file the report.

I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay would be lifted from the earlier assessment and the total civil penalty of \$275 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$20.00.)



Kim Patrick – Hearing Officer

June 21, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of August H Griffin for Edgar County Clerk ID# 22674

Dear Friends of August H Griffin for Edgar County Clerk:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2012, 4 day(s) late. As such, this committee has been assessed a fine of \$200.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5 you forfeit the right to contest this assessment.**


If the above listed violation is not appealed, and since this is a subsequent violation, the previously assessed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
July 1 through December 31 2010	Semi-Annual	\$75
TOTAL AMOUNT NOW DUE		\$275

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,


Sharon Steward, Director,
Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)
)
County of : Edgar)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
Friends of August H. Griffin for)
Edgar County Clerk)
Respondent(s).)

Case No. 12 MQ 211

APPEAL AFFIDAVIT


I, August H. Griffin, the Chairman of the
(Name) (Chairman/Treasurer)
Friends of August H. Griffin for Edgar County Clerk
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I was pre-occupied as Edgar County Clerk conducting the March 2012
General Primary. I misplaced the paperwork and completely forgot to
file my report. There is only \$20. in the account.

August H. Griffin
Signature of Chairman/Treasurer
47-251-3261

Signed and Sworn to by: Teresa A. Quinn
before me this 11 Day of June, 2012

Notary Public
(seal) 

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 DQ 169

Citizens for Anna Moeller ID# 23092
Respondent

REPORT OF HEARING OFFICER

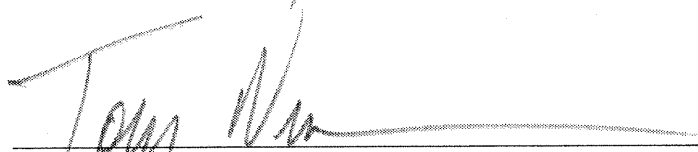
Appeal of Civil Penalty Assessment for Delinquent Filing of the
December 2011 Quarterly Report

The Report was received by the Board on January 24, 2012, 5 days late, resulting in a civil penalty assessment of \$250. Additionally, the Committee had previously been assessed a \$25 civil penalty (not appealed, stayed) for delinquently filing the September 2011 Quarterly Report. The total assessment is \$275.

Anna Moeller, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Moeller states that the Committee's former Treasurer was unable to file the report electronically because of problems with the filing software. She says the problems took five days of contact with Board staff to correct, so that once the filing was successful it was late. Ms. Moeller says the Committee made a good faith effort to file on time, and adds that the Committee has since been closed due to inactivity.

Section 100.150 of the Board's Rules and Regulations allows a committee to offer an electronic filing defense, but only if the Report is required to be filed electronically. Since this Committee never exceeded the electronic filing threshold, the Report could have been filed on paper. I must therefore recommend the appeal be denied. If this recommendation is accepted by the Board, the stay would be lifted from the earlier penalty and the total assessment of \$275 would be due and owing. However, since the Committee has filed a Final Report, I also recommend that should the Committee remain dissolved for a period of two years following the Final Board Order imposing the fine, that the fine be abated. (As of 12/31/11, this Committee reported a funds available balance of \$0.)



Tom Newman – Hearing Officer
May 9, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd., P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Anna Moeller
Anna Moeller
1100 N Spring St
Elgin, IL 60120-2124

ID# 23092

Dear Citizens for Anna Moeller:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	December Quarterly Report of Campaign Contribution and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 2, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 24, 2012, 5 day(s) late. As such, this committee has been assessed a fine of \$250.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18 you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously assessed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through September 30, 2011	Quarterly	\$25
TOTAL AMOUNT NOW DUE		\$275

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director,
Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of Kane)

STATE BOARD OF ELECTIONS

12 APR 20 PM 2:25

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens for Anna Moeller)
Respondent(s).)

Case No. 1202169

23092

APPEAL AFFIDAVIT

I, Anna Moeller, the Treasurer of the
(Name) (Chairman/Treasurer)
Citizens for Anna Moeller
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Former Treasurer, William Hannah, was unable to file report electronically because of continued software errors. Mr. Hannah was in continual contact with State Board of Election staff to resolve software problems. After 5 days of trouble shooting, was finally able to file report, albeit 5 days late. Nevertheless, the campaign made a good faith effort to file on time. This campaign committee has subsequently been closed due to inactivity.

Signed and Sworn to by:

Kristin Jacobs

before me this 18th Day of
April, 2012

Kristin Jacobs
Notary Public

[Signature]

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 AM 044

Mike Smiddy for State Representative

ID#23773

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing Schedule A-1 Reports

The Committee received a \$5,800 contribution on 3/21/12, a \$1,049.60 contribution on 3/27/12 and a \$1,318.40 contribution on 3/29/12 and reported all on a Schedule A-1 received by the Board on 4/13/12, 12, 8 and 6 days late respectively resulting in a civil penalty assessment of \$4,084. Additionally, the Committee had previously been assessed a \$1,450 civil penalty (not appealed/unpaid) for delinquently filing the September 2011 Quarterly report and a \$50 civil penalty (not appealed/unpaid) for delinquently filing a Schedule A-1 in the 3rd quarter of 2011. The total assessment is \$5,584.

Danielle Blocker, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Blocker states the Committee was managed by a staff member that has since been relieved of his duties. The former staff member failed to report the required A-1 reports. As soon as new staff gained access to the Committee password, the A-1 reports were filed and have since filed all reports in a timely manner.

I recommend the appeal be denied for lack of an adequate defense. There is no indication the violation was anything other than inadvertent and unintentional, but since these are the second set of A-1 violations for the Committee, I recommend the penalty be reduced to 50% of the original assessment or \$2,042. If these recommendations are accepted by the Board, the total civil penalty of \$3,542 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$12,284.60.)



Kim Patrick – Hearing Officer
June 13, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Mike Smiddy for State Representative

ID# 23773

Dear Mike Smiddy for State Representative:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
AFSCME Illinois Council No 31	3/21/2012	\$5800	4/13/2012	12	\$2900
Personal PAC	3/27/2012	\$1049.60	4/13/2012	8	\$524.80
Personal PAC	3/29/2012	\$1318.40	4/13/2012	6	\$659.20

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$4084 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$2042, (50% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
July 1 through September 30, 2011	Schedule A-1	\$50
July 1 through September 30, 2011	Quarterly	\$1450
TOTAL AMOUNT NOW DUE		\$3542

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

12 JUN 11 PM 3:31

State of Illinois)
 County of Rock Island)

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
 ILLINOIS STATE BOARD OF ELECTIONS,)
)
 Complainant)
)
 Vs.)
)
Mike Smiddy For State Representative)
 Respondent(s).)

Case No. 12AM044

APPEAL AFFIDAVIT

I, Danielle Blocker, the Treasurer of the
 (Name) (Chairman/Treasurer)
Mike Smiddy For State Representative
 (Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

At the time of the contributions which are subject to the civil penalty the committee was managed by a staff member who has since been relieved of his duties. The former staff member failed to report to both the State Board of Elections and the campaign that the A-1 was not yet completed. As soon as the new, and current, staff gained access to the committee password the reports were filed. Since this we have reported all contributions in a timely manner and intend to continue to do so. Please reconsider this civil penalty. Thank you.

Signed and Sworn to by:
Danielle Blocker
 before me this 7 Day of
June, 2012
Kerri Esbaum
 Notary Public

Danielle Blocker
 (Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

12 AD 063

Friends of Tabares

ID #23775

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1 Reports

The Committee received two \$1,000 contributions on 12/19/11 and failed to report it on a Schedule A-1, resulting in a civil penalty assessment of \$1,000.

Silvana Tabares, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Tabares states the staff failed to file the contributions during the election campaign and to please excuse the oversight.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this was the first set of A-1 violations for the Committee, I recommend the penalty be reduced to 10% of the original amount, or \$100. If this recommendation is accepted by the Board, the total civil penalty of \$100 will be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$15,910.78.)



Kim Patrick – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Tabares

ID# 23775

Dear Friends of Tabares:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Chicago Latino Public Affairs Committee	12/19/2011	\$1000	*	13	\$500
Chicago Latino Public Affairs Committee	12/19/2011	\$1000	*	13	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1000 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

State of Illinois)
County of: COOK)

CHICAGO

2012 JUN 27 AM 11:20

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
)
Silvana Tabares)
Respondent(s).)

Case No. 12AD063

APPEAL AFFIDAVIT

I, Silvana Tabares, the Chairman and treasurer of the
(Name) (Chairman/Treasurer)
Friends of Tabares
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Proper Documentation was not recorded. My staff failed to file
the contributions during the campaign election. Please excuse
the oversight.

Silvana Tabares
Signature of Chairman/Treasurer

Signed and Sworn to by:
SILVANA TABARES
before me this 27 Day of 06, 2012

Notary Public Wanda Geanes
(seal)



BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 MA 130

Northwestern Illinois Building & Construction Trades Council 23781
Respondent

REPORT OF HEARING OFFICER


Appeal of Civil Penalty Assessment for the Delinquent Filing of the
Statement of Organization
March 2011 Quarterly Report
June 2011 Quarterly Report

The Statement of Organization was received by the Board on 8/26/11, 116 days late, resulting in a \$5,000 civil penalty. The March 2011 Quarterly Report was received on 9/30/11, 117 days late, resulting in a \$5,000 civil penalty. The June 2011 Quarterly Report was received on 9/30/11, 54 days late, resulting in a \$5,000 civil penalty. The total civil penalty assessment is \$15,000.

The Respondent was represented by attorney John Nelson at the June 21st appeal hearing. Also attending was Brad Long, the chairman of the Committee and the President of the Council.

John Nelson indicated that Brad Long is the President of the Northwestern Illinois Building & Construction Trades Council and that position is a voluntary position. The organization used to have an executive director and a secretary but due to the poor economy they can no longer have those positions. The responsibility therefore falls on Mr. Long to file all required documents for the council. The Respondents indicated that the failure to comply was not deliberate but were a result of limited oversight, failure to have systems in place to comply, and inexperience and ignorance with campaign disclosure laws. They believe they now have competent accountants to make sure there is, and will continue to be compliance with the campaign finance requirements. Additionally, they indicated that the circumstances of this committee are the same as those in SBE v. Local Union 792 Political Action Fund (11 MA 087) in which Mr. Long is also associated with and the Respondents request a similar Order from the Board.

I am troubled by the notion that this organization was not aware they were required to register as a political committee and file disclosure reports, even though they were making direct contributions to public officials and candidates. Section 100.10 (b)(5)(B) indicates that if any entity, other than a natural person, makes an expenditure or expenditures in aggregate within a 12 month period in excess of \$3,000 supporting or opposing public officials or candidates, then the entity qualifies as a political committee. However, there is no reasonable process in which all unions can be notified by the Board regarding their potential filing requirements. The union formed the PAC on its own accord to abide by the law and in effect was automatically penalized for bringing the PAC into compliance. I believe the delinquent filings were inadvertent, based on the statements made and consideration of the commitment demonstrated by the Respondent to comply, I recommend the appeal be denied, and the assessed civil penalty of \$15,000 be imposed, but stayed as a first violation. Such recommendation is consistent with similar rulings in SBE v. Chicagoland Apartment Association PAC (06 MA 001), SBE v. Black Illinois Legislative Lobby (06 MA 002), SBE v. Indian Prairie Education Assn PAC for Education (08 MA 009), SBE v. Local Union 792 Political Action Fund (11 MA 087), and SBE v. Illinois Federation of Public Employees PAC (11 MA 085 & 12 MA 030). (As of 3/31/12, this Committee reported a funds available balance of \$15,848.14.)



Andy Nauman – Hearing Officer
June 25, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
December 5, 2011

Northwestern Illinois Building & Construction Trades Council
Brad Long
212 S 1st St, Ste 106
Rockford, IL 61104-2076

ID# 23781

Dear Northwestern Illinois Building & Construction Trades Council:

This letter is to inform you that this committee failed to file its D-1 Statement of Organization during the requisite filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 26, 2011, 116 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing periods:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2011 through March 31, 2011
Filing Period:	April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on September 30, 2011, 117 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on September 30, 2011, 54 day(s) late. As such, this committee has been assessed a fine of \$5000. The total of newly assessed fine is \$15,000.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.**

STATE OF ILLINOIS)
)
COUNTY OF COOK)

RECEIVED

MAY 21 2012

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

State Board of Elections

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF)
ELECTIONS,)

Complainant(s))

No. 11 MA 130

v.)

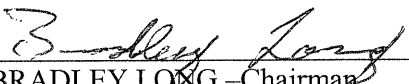
NORTHWESTERN ILLINOIS)
BUILDING & CONSTRUCTION)
TRADES COUNCIL)

Respondents(s))


APPEAL AFFIDAVIT

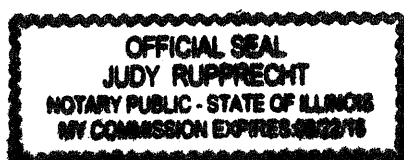
I. BRADLEY LONG, the Chairman of the Northwestern Illinois Building & Construction Trades Council, id # 23781, first being duly sworn deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The failure to timely file the appropriate campaign financing forms were due to unintentional negligence resulting from a combination of computer problems, a poor economy that resulted in the layoff of the association's secretary who had been charged with this responsibility, and the difficulty in getting up to speed with new procedures. Procedures are now in place with Appellant's accountants to assure compliance. Appellant seeks a suspension of any penalty as a first time offender.


BRADLEY LONG - Chairman

Signed and sworn to before me this
10th day of May, 2012.


Notary Public



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 AD 066

Citizens to Elect William S Boyd
Respondent

ID# 23872

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

The Committee received three \$2,500 contributions on 11/14/11, 11/22/11, and 11/29/11, four \$1,000 contributions on 10/22/11, 11/14/11, 11/22/11, and 12/1/11, and a \$1,001 contribution on 11/25/11, and failed to report any of these on a Schedule A-1, resulting in a civil penalty assessment of \$6,250. Additionally, the Committee had previously been assessed a \$400 civil penalty (not appealed, stayed) for delinquent filing of the December 2011 Quarterly Report. The total assessment is \$6,650.

Linda Crane, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Crane states that an illness prevented the Committee Treasurer from complying with the filing deadlines in a timely manner.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1 violations for this Committee, I further recommend the penalty be reduced to 10% of the original assessment, or \$625. If these recommendations are accepted by the Board, the stay would be lifted from the earlier penalty, and the total assessment of \$1,025 will be due and owing. (As of 3/31/12, this Committee showed a cash available balance of \$54,706.72.)



Tom Newman – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect William S Boyd

ID# 23872

Dear Citizens to Elect William S Boyd:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Barclay, Dixon & Smith	11/14/2011	\$2500	*	44	\$1250
Katz & Stefani	11/22/2011	\$2500	*	38	\$1250
Ladden & Allen Chartered	11/29/2011	\$2500	*	35	\$1250
Law Offices of Jonathan N Sherwell	12/1/2011	\$1000	*	33	\$500
Levine, Wittenberg, Shugan & Schatz	11/22/2011	\$1000	*	38	\$500
James Pritikin	11/14/2011	\$1000	*	44	\$500
Schiller, Donald & Ellen	10/22/2011	\$1000	*	59	\$500
Whiting, Willie Leroey & Annet	11/25/2011	\$1001	*	37	\$500.50

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$6250 for delinquent filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$625, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
October 1 through December 31, 2011	Quarterly	\$400
TOTAL AMOUNT NOW DUE		\$1025

CHICAGO

2012 JUN 27 PM 2:39

STATE BOARD OF ELECTIONS

State of Illinois)
)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
)
Citizens to Elect William S. Boyd)
Respondent(s).)

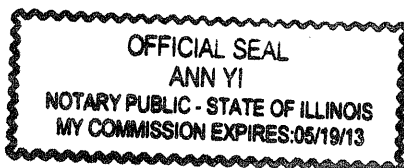
Case No. 12 ADO66

APPEAL AFFIDAVIT

I, Linda R. Crane, the Chairman of the
(Name) (Chairman/Treasurer)
Citizens to Elect William S. Boyd
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

That illness prevented the Treasurer, Darrell Williams, from complying with filing deadlines in a timely manner.



Signed and Sworn to by:

Ann Yi
before me this 21st Day of
June, 2012

Ann Yi
Notary Public

Linda R. Crane
(Signature of Chairman/Treasurer)

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

12 DQ 200

Citizens to Elect Eileen M O'Connor 23985

Respondent

REPORT OF HEARING EXAMINER

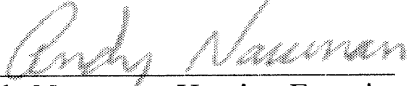
Appeal of Civil Penalty Assessment for Delinquently Filing
The December 2011 Quarterly Report

The December 2011 Quarterly Report was received by the Board on 2/9/12, 17 days late, resulting in a civil penalty assessment of \$850.

The Respondent was represented by attorney Steven Laduzinsky at the June 11th appeal hearing. Also attending was Eileen O'Connor the candidate of the Committee.

Eileen O'Connor under oath indicated that she was an attorney and this was her first time running for office. She had no prior experience with a campaign and she reported everything to the best of her ability. Ms. O'Connor was not aware of the Campaign Disclosure filing requirements and once she realized that reports had to be filed she immediately filed the report. Additionally, once she was notified with an electronic filing warning letter the report was electronically filed in a timely manner. The late filing was inadvertent and unintentional.

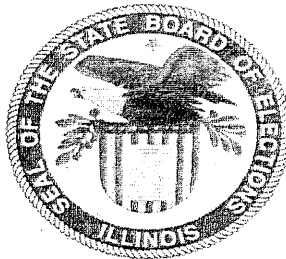
I recommend the appeal be denied for lack of an adequate defense. Ms. O'Connor acknowledged the Committee's mailing address listed with the Board is accurate. Board records indicate the statutorily required notice of the Report was sent by Board staff to the Committee's mailing address. If this recommendation is accepted by the Board a \$850 penalty will be stayed as a first violation.


Andy Nauman – Hearing Examiner
June 21, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd., P.O. Box 4187
Springfield, Illinois 62708-4187
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

Citizens to Elect Eileen M O'Connor
Bryan J O'Connor
221 N La Salle St, Ste 1050
Chicago, IL 60601-1396

ID# 23985

Dear Citizens to Elect Eileen M O'Connor:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	December Quarterly Report of Campaign Contributions and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 2, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 9, 2012, 17 days late. As such, this committee has been assessed a fine of \$850.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sharon Steward", is written over a horizontal line.

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

CHICAGO

2012 APR 18 PM 12:16

STATE BOARD OF ELECTIONS

State of Illinois)
County of Cook) SS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
V.)
CITIZENS TO ELECT EILEEN M.)
O'CONNOR)
Respondent.)

Case No. 1200200

23985

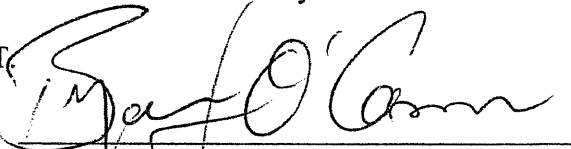
APPEAL AFFIDAVIT

I, Bryan J. O'Connor, the Treasurer of the Citizens to Elect Eileen M. O'Connor ("Committee"), first being duly sworn, depose, state and represent that said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

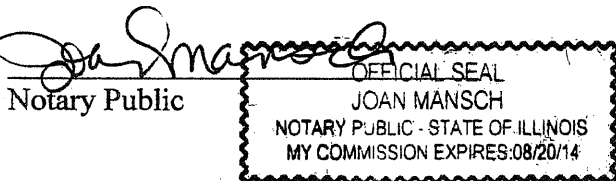
1. The Committee's failure to file a timely December 2011 Quarterly Report of Campaign Contributions and Expenditures was an inadvertent oversight by the Committee.

2. This is the first violation of Article 9 of the Election Code by the Committee.

FURTHER AFFIANT SAYETH NAUGHT.


Bryan J. O'Connor

Subscribed and Sworn to before me
this 17th day of April 2012.



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)


CHICAGO
2012 APR 18 PM 12:16
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)	
)	
ILLINOIS STATE BOARD OF ELECTIONS,)	
)	
Complainant)	
)	
V.)	Case No.
)	
CITIZENS TO ELECT EILEEN M.)	
O'CONNOR)	
)	
Respondent.)	

APPEARANCE

The undersigned enters their appearance as Counsel for Respondent, Citizens to Elect Eileen M. O'Connor.



Steven M. Laduzinsky



Tracy Brdar

Laduzinsky & Associates, P.C.
Steven M. Laduzinsky sladuzinsky@laduzinsky.com
Tracy Brdar tbrdar@laduzinsky.com
216 S. Jefferson Street, Suite 301
Chicago, Illinois 60661
(312) 424-0700 (office)
Atty. No.: 40727

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ 284

Committee to Elect Real Democrats
3rd District County Board
Respondent

ID# 24278

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing
the March 2012 Quarterly Report

The Quarterly Report was received by the Board on May 4, 2012, 14 days late, resulting in a civil penalty assessment of \$350.

Kenny Roeder, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Roeder states the Committee simply forgot to file the report. He adds that since it was their first Quarterly filing the Committee wasn't sure when the report needed to be filed.

I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 3/31/12, this Committee reported a funds available balance of \$0.)



Kim Patrick – Hearing Officer
June 14, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Committee to Elect Real Democrats 3rd Dist County Board ID# 24278

Dear Committee to Elect Real Democrats 3rd Dist County Board:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on May 4, 2012, 14 days late. As such, this committee has been assessed a fine of \$350.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be **stayed**. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
)
County of: COOK)

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS 12 JUN 13 PM 3:57
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)

Vs.)
)
COMMITTEE TO ELECT REAL DEMOCRATS 3RD)
DISTRICT COUNTY BOARD)
24278)

Case No. 12MQ284

APPEAL AFFIDAVIT

I, KENNY ROEDER, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
COMMITTEE TO ELECT REAL DEMOCRATS 3RD DISTRICT COUNTY BOARD
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SIMPLY FORGOT TO FILE AND SINCE IT WAS OUR FIRST Q-2
FILING (QUARTERLY) WERENT QUITE SURE WHEN NEEDED TO BE FILED

X Kenneth Roeder
Signature of Chairman/Treasurer

Signed and Sworn to by:
Teresa M. Hutton
before me this 11 Day of June, 2011
Notary Public
(seal)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MA 074

IBEW Local 9 PAC Fund
Cmte ID: 24351
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment

For Delinquently Filing the June 2010 Semi-Annual Report, the December 2010 Semi-Annual Report, the March 2011 Quarterly Report, the June 2011 Quarterly Report, the September 2011 Quarterly Report, the December 2011 Quarterly Report, and the March 2012 Quarterly Report of Receipts and Expenditures

The Reports were received, respectively, 442, 317, 258, 195, 132, 69, and 7 days late. The total assessment is \$31,400. The Committee had not been previously assessed.

Robert Pierson, the Chairman and Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Pierson stated the Committee first learned of its delinquent Reports in meeting with a newly-hired accountant in March, 2012. He said the late filings were "entirely inadvertent as the committee was not aware of the State Board of Elections' filing requirements."

I recommend the appeal be denied for lack of an adequate defense. As of March 31, 2012, the Committee's cash balance was reported as \$2,627.31.



John Levin – Hearing Officer
June 28, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

IBEW Local 9 PAC Fund

ID# 24351

Dear IBEW Local 9 PAC Fund:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	2010 June Semi-Annual Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2010 through June 30, 2010
Filing Period:	July 1, 2010 through July 20, 2010

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 25, 2012, 442 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	2010 December Semi-Annual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 1, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 317 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:	2011 March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2011 through March 31, 2011
Filing Period:	April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 258 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:	2011 June Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 195 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type: 2011 September Quarterly Report of Campaign Contribution and Expenditures
Report Period: July 1, 2011 through September 30, 2011
Filing Period: October 1, 2011 through October 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 132 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type: 2011 December Quarterly Report of Campaign Contribution and Expenditures
Report Period: October 1, 2011 through December 31, 2011
Filing Period: January 1, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 69 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type: 2012 March Quarterly Report of Campaign Contribution and Expenditures
Report Period: January 1, 2012 through March 31, 2012
Filing Period: April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2012, 7 day(s) late. As such, this committee has been assessed a fine of \$1400.

The total for all new assessments is \$31,400.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of: COOK)

STATE BOARD OF ELECTIONS

12 JUN 25 AM 8:26

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS


IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
1 BEW Local 9 PAC Fund)
24351 Respondent(s).)

Case No. 12MA074

APPEAL AFFIDAVIT

I, Robert W. Pierson, the Chairman of the
(Name) (Chairman/Treasurer)
1 BEW Local 9 PAC Fund
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:


Signature of Chairman/Treasurer

Signed and Sworn to by: Mary Beth Kaczmarek
before me this 21st Day of June, 2012

Notary Public
(seal) 



LOCAL UNION No. 9
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
AFL-CIO

4415 W. HARRISON ST.
SUITE 330
HILLSIDE, IL 60162-1902
(708) 449-9000

FAX (708) 449-9001

®  458

STATE BOARD OF ELECTIONS
12 JUN 25 PM 8:26

June 21, 2012

Sharon Steward
Director, Campaign Disclosure Division
State Board of Elections
State of Illinois
P O Box 4187
2329 S. MacArthur Blvd
Springfield, IL 62708-4187

Dear Ms. Steward:

The late filing of these reports was entirely inadvertent as the committee was not aware of the State Board of Elections filing requirements. The filing requirements came to our attention in March, 2012 during the audit of Local 9 Union's financial statements when we met with our new accountant to discuss these filings. Immediately after that meeting we filed the subject returns. The committee did not knowingly or intentionally neglect to file the reports.

The committee has made all federal filings on a timely basis and since the discovery of this omission the committee has complied with all federal and state filings on a timely basis.

At this time we respectfully request the abatement of these penalties.

Sincerely yours,



Robert W. Pierson
Chairman
IBEW Local 9 PAC Fund

RWP/mbk
#9,ibew
afl-cio

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

12 MA 075

Carpenters Helping in the Political Process (CHIPP)
Respondent

ID# 24364

REPORT OF HEARING OFFICER

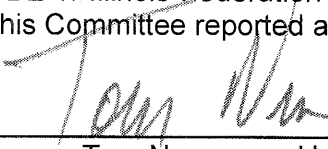
Appeal of Civil Penalty Assessment for Delinquent Filing of the
October 2011, December 2011, and March 2012 Quarterly Reports

The October 2011 Quarterly Report was received by the Board on May 15, 2012, 147 days late, resulting in a civil penalty assessment of \$5,000. The December 2011 Quarterly Report was received by the Board on May 15, 2012, 84 days late, resulting in a civil penalty assessment of \$5,000. The March 2012 Quarterly Report was received by the Board on May 15, 2012, 22 days late, resulting in a civil penalty assessment of \$4,400. The total assessment is \$14,400.

Shannon Weber, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Weber states that the late filings resulted from the Committee being misinformed about the Illinois filing requirements. She says the Carpenters' District Council of Greater St Louis and Vicinity went through a merger and reorganization that was implemented in May 2011. This resulted in the group's jurisdiction expanding to cover Missouri, Kansas and Southern Illinois. Ms. Weber says the fund is registered in Missouri and had been filing required reports in that state, but it was misinformed about the need to register in Illinois once it began making contributions to Illinois candidates. She says once notified about the error, the Committee filed its Statement of Organization and the required reports. She asks for leniency with regards to any fines assessed for the late filings.

While Ms. Weber does not state where the misinformation about filing requirements came from, it is ultimately the Committee's responsibility to know and meet those requirements. Based on the late filings, it is clear the Committee was active in Illinois as of August 2011, and its Reports are therefore late. It is equally clear the Committee did its best to comply with Illinois law once it learned of it and the late filings do appear to be inadvertent and unintentional. I therefore recommend the appeal be denied, but I also recommend the three late Reports be considered together as a single offense, and the \$14,400 penalty be stayed as a first violation. This would prevent the Committee from being excessively penalized for attempting to comply with the law, and is consistent with similar rulings in SBE v. Chicagoland Apartment Association PAC (06 MA 001), SBE v. Black Illinois Legislative Lobby (06 MA 002), SBE v. Indian Prairie Education Association PAC for Education (08 MA 009), SBE v. Local Union 792 Political Action Fund (11 MA 087), and SBE v. Illinois Federation of Public Employees PAC (11 MA 085 & 12 MA 030). (As of 3/31/12, this Committee reported a funds available balance of \$97,979.65.)



Tom Newman – Hearing Officer
June 25, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 4, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Carpenters Helping in the Political Process (CHIPP) ID# 24364

Dear Carpenters Helping in the Political Process (CHIPP):

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	2011 September Quarterly Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2011 through September 30, 2011
Filing Period:	October 1, 2011 through October 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on May 15, 2012, 147 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	2011 December Quarterly Report of Campaign Contribution and Expenditures
Report Period:	October 1, 2011 through December 31, 2011
Filing Period:	January 1, 2012 through January 17, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on May 15, 2012, 84 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:	2012 March Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2012 through March 31, 2012
Filing Period:	April 1, 2012 through April 16, 2012

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on May 15, 2012, 22 day(s) late. As such, this committee has been assessed a fine of \$4400.

The total for all new assessments is \$14,400.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by July 5, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

State of Illinois)
)
County of: _____)

STATE BOARD OF ELECTIONS

12 JUN 22 PM 2:00

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12 MA 075

CHIPP

Respondent(s).)

24364

APPEAL AFFIDAVIT

I, Shannon Weber, the Chairman of the
(Name) (Chairman/Treasurer)

in the
Carpenters' Helping Political Process (CHIPP)
(Name of the Committee)

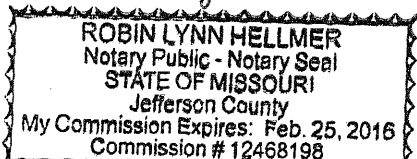
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

We were incorrectly advised not to file. Please see
letter attached.

Shannon Weber
Signature of Chairman/Treasurer

Signed and Sworn to by:
Robin Lynn Hellmer
before me this 18th Day of June, 2012

Notary Public
(seal)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

12 AD 032

Joy Cunningham for Justice 23691

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
A Schedule A-1 in the 4th Quarter of 2011

This committee received eight \$1,000 contributions, three \$2,500 contributions, one \$5,000 contribution, and two \$10,000 contributions between 11/3/11 and 12/29/11, and reported these contributions to the Board between 1 and 42 business days late, resulting in a civil penalty assessment of \$20,250. In addition, the Committee has previously been assessed a \$250 civil penalty (appealed, denied, stayed) for delinquently filing a Schedule A-1 for the 3rd Quarter of 2011. The total assessment is \$20,500.

The Respondent was represented by attorney Richard Means at the May 31st appeal hearing. Also attending was Vance Du Rivage the treasurer of the Committee.

Vance Du Rivage indicated that the Committee has had compensated employees that have dealt with the Committee's campaign disclosure filing requirements and the deposits. Unfortunately these employees don't always stay long and they have had turnover in this position. The Respondent believes this turnover was partially to blame for these Schedule A-1 violations. At one point in time staff reported Schedule A-1 contributions based on the date listed on the check rather than the deposit date and it took the Committee some time to realize this. Richard Means introduced materials (attached) regarding seven of the contributions that the Committee had reported inaccurately and has since amended their reports on May 22, 2012 to correct these matters.

	<u>Contributor</u>	<u>Amount</u>	<u>Deposit Date</u>	<u>Date A-1 filed</u>
1.	Alan Martin	\$1,000	1/18/12	1/16/12
2.	Fern Cunningham	\$5,000	12/30/11	1/9/12
3.	Maximo Realty LLC	\$10,000	12/30/11	1/9/12
4.	Michael Raphael Assoc.	\$10,000	12/30/11	1/9/12
5.	Sonia Cunningham	\$2,500	12/30/11	1/9/12
6.	Carol Volkening	\$1,000	11/23/11	1/14/12

7. The In-kind contribution from Roni Pressler was changed to reflect the actual contribution value rather than an estimated amount. The actual value was below the amount required to file a Schedule A-1.

The Respondent thanks the Board for finding these seven errors that have been corrected with an amended filing, they apologize for not timely reporting the remaining contribution violations, and acknowledge that these contributions were not filed in a timely manner.


In relation to the Alan Martin, Fern Cunningham, Maximo Realty LLC, Michael Raphael Assoc., and Sonia Cunningham contributions the bank print outs of the checks show that the Committee would have filed a Schedule A-1 for these contributions within 5 business days of deposit. I recommend the appeal be granted in relation to these contributions.

In relation to the Roni Pressler in-kind contribution I also recommend the appeal be granted. The contributor notified the Committee on a letter dated 3/22/12 that the expense of hosting a fundraiser at their residence came to a total of \$874. The Committee had estimated the value of this fundraiser to be \$1,000 and the actual value falls below the amount that necessitates a Schedule A-1 to be filed.

In relation to the Carol Volkening contribution the Respondents were informed during the hearing that the assessment letter contained some inaccurate dates regarding when the contributions were actually reported to the State Board of Elections on a Schedule A-1. This contribution was actually reported on a Schedule A-1 that was filed with the Board on 1/14/12 rather than the date listed on the assessment letter of 11/14/11. After the Respondents were informed of this typographical error they acknowledged the Schedule A-1 was not filed timely. I recommend the appeal be denied in relation to this contribution. However, since there is no indication that this violation was anything other than inadvertent and unintentional, I recommend that the penalty be reduced to 50% of the original assessment, or \$250.

In relation to the Kimball Anderson, Richard Boykin, Eugene Pavalon, River North Anesthesia Consultants SC, Adela Cepeda, Dayne Kono, and Samuel Mendenhall contributions the Respondent agreed that these contributions were late. I recommend the appeal for these contributions be denied. However, since there is no indication that these violations were anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 50% of the original assessments, or \$2,500.

If these recommendations are accepted by the Board, the stay on the assessment for delinquent filed Schedule A-1 for the 3rd Quarter of 2011 would be lifted, and a total of \$3,000 would be due and owing. (As of 3/31/12, this Committee reported a funds available balance of \$ \$5,157.75.)


Andy Nauman – Hearing Officer
June 19, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 19, 2012

BOARD MEMBERS
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Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Joy Cunningham for Justice
Vance Du Rivage
1429 W Catalpa Ave
Chicago, IL 60640

ID # 23691

Dear Joy Cunningham for Justice:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Kimball Anderson	12/7/2011	\$2500	1/16/2011	22	\$1250
Richard Boykin	11/21/2011	\$1000	1/16/2011	31	\$500
Alan Martin	11/28/2011	\$1000	1/16/2011	28	\$500
Eugene Pavalon	12/7/2011	\$1000	1/16/2011	22	\$500
Roni Pressler	11/5/2011	\$1000	1/16/2011	41	\$500
River North Anesthesia Consultants SC	12/5/2011	\$1000	1/16/2011	23	\$500
Carol Volkening	11/3/2011	\$1000	11/14/2011	42	\$500
Adela Cepeda	12/27/2011	\$1000	1/9/2011	3	\$500
Fern Cunningham	12/28/2011	\$5000	1/9/2011	2	\$2500
Sonia M Cunningham	12/29/2011	\$2500	1/9/2011	1	\$1250
Dayne Kono	12/26/2011	\$2500	1/9/2011	4	\$1250
Maxnico Realty LLC	12/28/2011	\$10,000	1/9/2011	2	\$5000
Samuel Mendenhall	12/27/2011	\$1000	1/9/2011	3	\$500
Michel Raphael Associates	12/28/2011	\$10,000	1/9/2011	2	\$5000

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$20,250 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$10,125, (50% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by April 18, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 2329 S MacArthur Blvd., Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the December Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

FILED

APR 18 2012

STATE BOARD OF ELECTIONS
CHICAGO, ILLINOISState of Illinois)
County of Cook)BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12AD032Justice Jay Cunningham for

Respondent(s).

Illinois Supreme Court
(Jay Cunningham for Justice)

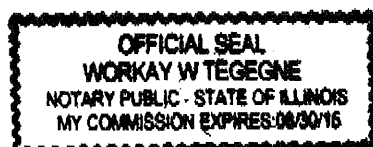
APPEAL AFFIDAVIT

I, Vance du Rivage, the Treasurer of the
(Name) (Chairman/Treasurer)Justice Jay Cunningham for Illinois Supreme Court aka
as Jay Cunningham for Justice
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

We are appealing the Civil Assessment of Penalties letter of March 19, 2012
and ask for a hearing. We have apparently misreported on the date of
deposit of many of these contributions and are seeking bank records
to present at the hearing. We will make corresponding amendments to correct.In addition to these inaccuracies, it appears that the
(continue p. 2)

Signed and Sworn to by:

Vance Durivage
before me this 18 Day of
April, 2011[Signature]
Notary Public[Signature]
(Signature of Chairman/Treasurer)

page 2

IL State Board of Elections,
vs.

Justice Jay Cunningham for
Illinois Supreme Court
(Jay Cunningham for Justice)

Continued from p. 1:

A-1 receipt date for each of the violations is in error.
With the exception of one (which may be accurate) all of the
rest of the A-1 dates are shown nearly a full year
before the corresponding contribution was reported and
received. We will bring bank records and receipts
for A-1 filings to present at the hearing. We will
make corresponding amendments to correct.

Vand du Rivage
Treasurer
Jay Cunningham for
IL Supreme Court

4/18/2012

Nauman, Andy

From: Vance du Rivage [vancedu@hotmail.com]
Sent: Wednesday, May 23, 2012 2:26 PM
To: Steward, Sharon; Nauman, Andy
Cc: Richard Means
Subject: Joy Cunningham for Justice - ID# 23691

Joy Cunningham for Illinois Supreme Court

c/o Vance du Rivage
1429 W. Catalpa Avenue
Chicago, IL 60640
(630)222-5058 (cellular)
(773) 769-9988 (home)
(773) 878-1841 (fax)

23 May 2012

Sharon Steward, Director
Division of Campaign Disclosure
State Board of Elections
State of Illinois
2329 S. MacArthur Blvd.
Springfield, IL 62704

RE: case # 12-AD-032

Ladies and Gentlemen:

In preparation for our May 31st hearing concerning campaign reporting violations outlined in your letter of March 19th, I wish to present the information listed below which reflects the actual dates of deposits for seven of the fourteen contributions included in your letter.

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Deposited</u>	<u>A-1 filed</u>
Nov. 3	Carol Volkening	\$ 1,000	Nov. 23, 2011	Nov. 14, 2011
Nov. 5	Roni Pressler	\$ 874	In-kind	Jan. 16, 2012
Nov. 28	Alan Martin	\$ 1,000	Jan. 18, 2012	Jan. 16, 2012
Dec. 28	Fern Cunningham	\$ 5,000	Dec. 30, 2011	Jan. 9, 2012
Dec. 28	Maxnico Realty LLC	\$ 10,000	Dec. 30, 2011	Jan. 9, 2012
Dec. 28	Michel Raphael Assoc.	\$ 10,000	Dec. 30, 2011	Jan. 9, 2012
Dec. 29	Sonia Cunningham	\$ 2,500 ^	Dec. 30, 2011	Jan. 9, 2012

^ = On-line contribution

We made erroneous entries on our 4th Quarter D-2 which resulted in these contributions coming to your attention in the first place and we have now amended the D-2 to show the correct dates of deposit. The above-listed contributions were deposited and reported within the 5 day business time allowed for A-1 filings of major contributions, with the exception of the Nov. 5th in-kind donation from Ms. Pressler which was incorrectly

reported originally. A letter itemizing Ms. Pressler's out-of-pocket costs will be presented at our hearing as will the bank deposit records respecting the above listed contributions.

Thank you for your attention to this matter.

Sincerely,

Vance du Rivage
Joy Cunningham for Justice
Campaign Finance Director

ILLINOIS STATE BOARD OF ELECTION - 4th Quarter, 2011, VIOLATIONS

Date	Name	Amount*	Deposited	A-1 filed
Nov. 3	Carol Volkening	\$ 1000	Nov. 23	Nov. 14
Nov. 5	Roni Pressler	\$ 874 ^	Revis. Mar. 22	Jan. 16
Nov. 21	Richard Boykin	\$ 1000*		Jan. 16
Nov. 28	Alan Martin	\$ 1000	Jan. 18	Jan. 16

Amend
5/22
5/22
5/22

CONTRIBUTIONS REPORTED TO STEVE LADUZINSKY FOR A-1 FILING

Dec. 5	River North Anesthesia Consultants, SC			
		\$ 1000		Jan. 16
Dec. 7	Kimball Anderson	\$ 2500*		Jan. 16
Dec. 7	Eugene Pavalon	\$ 1000		Jan. 16
Dec. 26	Dayne Kono	\$ 2500*		Jan. 9
Dec. 27	Adela Cepeda	\$ 1000		Jan. 9
Dec. 27	Sam Mendenhall	\$ 1000		Jan. 9
Dec. 28	Fern Cunningham	\$ 5000	Dec. 30	Jan. 9
Dec. 28	Maxnico Realty LLC	\$10,000	Dec. 30	Jan. 9
Dec. 28	Michel Raphael Ass.	\$10,000	Dec. 30	Jan. 9
Dec. 29	Sonia Cunningham	\$ 2,500*	Dec. 30	Jan. 9

5/22
5/22
5/22
5/22

* On-line contribution

^ In-kind contribution

Roni Weiner Pressler
2555 Steven Lane
Northbrook, Illinois 60062

March 22, 2012

Mr. Vance du Rivage
Campaign Finance Director
Joy Cunningham for Illinois Supreme Court
2 N. La Salle Street, Suite 1600
Chicago, IL 60062

Dear Mr. du Rivage,

Please note that on November 5, 2011 I had a fund raising event for Justice Joy Cunningham in my home to help raise contributions for her campaign for the Illinois Supreme Court.

My costs to host this event included:

Food:	\$ 352
Beverages	297
Flowers	75
Server	<u>150</u>
TOTAL	\$ 874

It was my wish to contribute these out of pocket costs as an in-kind contribution to the Joy Cunningham campaign. It was an honor to have such an accomplished woman and leader amongst us. Please extend my thanks to Joy.

Sincerely,


Roni Weiner Pressler



Account Number:
Capture Date: January 18, 2012
Item Number: ~~123456789~~
Posted Date: January 18, 2012
Serial Number: 436
Amount: 1,000.00

ALAN J MARTIN
1500 WHITE EAGLE DR.
NAPERVILLE, IL 60564

2-280/710 436

DATE 11/21/11

PAY TO THE ORDER OF Joy Cunningham for Justice \$ 1,000.00

One - thousand and 00/100 DOLLARS

HARRIS. MEMO

Reception/Donation ALJ

DEPOSITED BY

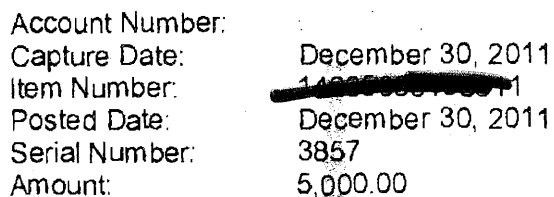
CREDIT TO THE ACCOUNT OF

WITHIN NAMED TIME

THE BANK

BOOK & MEMO

TOTAL P.03



E IDORSE HERE



Account Number:
Capture Date: December 30, 2011
Item Number: ~~11000001000~~
Posted Date: December 30, 2011
Serial Number: 388
Amount: 10,000.00

MAXNICO REALTY, LLC
31 DESBROSSES ST.
NEW YORK, NY 10013

DATE 12-27-11

PAY TO the order of Joy Cunningham for Justice \$ 10,000
Ten Thousand / 100 DOLLARS

citibank
CITIBANK N.A. BR #38
18 HUDSON STREET
NEW YORK, NY 10013

MEMO Donation

[Signature]

0388

ENDORSE HERE



Account Number:

Capture Date:

Item Number:

Posted Date:

Serial Number:

Amount:

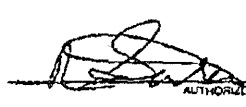
December 30, 2011

~~XXXXXXXXXX~~

December 30, 2011

2710

10,000.00

MICHEL RAPHAEL ASSOCIATES, LLC 19 MURRAY STREET NEW YORK, NY 10007-2240 (212) 941-9095		citibank <small>CITIBANK NA, 60 WALL STREET, NEW YORK, NY 10005 1-8-210</small>	2710
PAY TO THE ORDER OF	Jay Cunningham for Justice	12.27.4	
	Ten thousand 00/100	\$10,000	
			DOLLARS
MEMO	 AUTHORIZED SIGNATURE		

	07
--	----

Sonia Cunningham

3202 Seminole Court
Harlingen, TX 78550

6 May, 2012

Mr. Vance du Rivage
Campaign Finance Director
Joy Cunningham for Illinois Supreme Court
2 N. La Salle Street
Suite 1600
Chicago, IL 60602

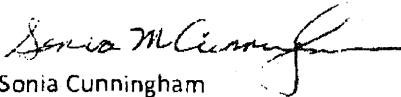
RE: American Express Card No. ~~3782 8226 1234 5678~~

Dear Vance,

This will confirm that I charged a \$ 2500 donation to the *Joy Cunningham for Justice* campaign for the Illinois Supreme Court at the end of December, 2011 on my American Express card No.

This information is solely for use concerning a matter pending before the Illinois State Board of Elections. I ask that my credit card information not be made part of any public record.

Yours truly,


Sonia Cunningham

Deposit Detail List

5/4/2012

MSA

- JOY CUNNINGHAM FOR JUSTI Location 0

Batch Date: 12/30/2011

Batch Reference: [REDACTED]

Process Date: 12/30/2011

Terminal Number: 95300

	Cardholder	Card	Clear Plan Code	Amount	Date	Type	Outgoing Reference # / Trace ID	Process Code
1		VI	247	100.00	12/29	SALE	[REDACTED]	
2		AMEX	020	2,500.00	12/29	SALE	[REDACTED]	

2 Item(s) 2,600.00

FB-718

Page 1

Deposit Detail List

5/4/2012

MSA

JOY CUNNINGHAM FOR JUSTI Location 0

Batch Date: 12/30/2011

Batch Reference: [REDACTED]

Process Date: 12/30/2011

Terminal Number: 95300

	Cardholder	Entry Mode
1		1
2		1

2 Item(s) 2,600.00

FB-718

Page 2

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

Illinois State Board of Elections

Complainant,)

vs.)

Joy Cunningham For Justice)

Respondent.)

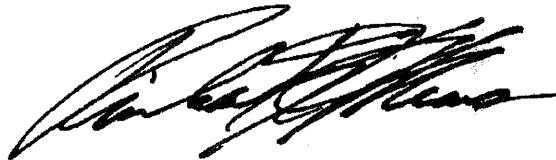
Case #: 12AD032

Appearance

I, Richard K. Means, a Illinois licensed attorney, hereby enter my appearance as attorney for the Respondent, **Joy Cunningham For Justice**, in the above-captioned case.

I agree to accept service of documents by facsimile and/or email. Email is preferred.

I agree to waive the necessity of formal service of any documents in exchange for actual in-hand delivery to me or a member of my staff.



Richard K. Means

May 9, 2012

Contact information for service and notices pursuant to Board Rules:

Richard K. Means

ARDC Attorney #01874098

Cook County Attorney #27351

24 hour 7 day contact information:

Email: Rmeans@RichardMeans.com

Web site: www.RichardMeans.com

806 Fair Oaks Avenue

Oak Park, Illinois 60302

Telephone: (708) 386-1122

Facsimile: (708) 383-2987

Cellular (312) 391-8808

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11MA-CL001

Illinois Hospital Assn PAC (IHA PAC) 675

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for a Violation of Contribution Limits

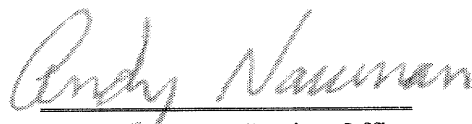
Received during the March & June 2011 Quarterly Reporting Periods

This Committee received in-kind contributions from the IL Hospital Association for \$54,911.59 on 3/31/11 and \$33,844.65 on 6/30/11 which exceeds contribution limits during an election cycle and the Committee failed to return the portion of this contribution that exceeded \$20,000 to the contributor or donate the same amount to a charity within 15 days as required by statute, resulting in a required escheatment of $(\$34,911.59 + \$33,844.65) \$68,756.24$ and a civil penalty assessment of $(\$52,367.38 + \$50,766.98) \$105,678.57$. Additionally, the Committee had previously been assessed a \$50 civil penalty (not appealed, stayed, expired) for delinquently filing the June 2003 Semi-Annual Report; a \$187 civil penalty (not appealed, stayed, expired) for failing to file a Schedule A-1 for the 2006 General Election; \$1,250 civil penalty (appealed, reduced, paid) for failing to file a Schedule A-1 for the 2010 General Elections, and a \$1,250 civil penalty (appealed, reduced, paid) for failing to file a Schedule A-1 for the General Election; a \$1,347 civil penalty (appealed, reduced, paid) for failing to file a Schedule A-1 during the 2nd Quarter of 2011. The total escheatment is \$68,756.24 and the civil penalty is \$105,678.57.

The Respondent was represented by attorney David H. Hoffman. Mr. Hoffman supplied the hearing officer with a detailed overview and supporting documentations (attached) in relation to this appeal and it was agreed upon by phone that the hearing officer was to review the materials and call the appeal hearing if necessary. As a hearing officer I was familiar with this matter for I heard an appeal regarding a Schedule A-1 violation concerning the 6/30/11 \$33,844.65 in-kind contribution.

The IHA PAC overestimated the in-kind contribution amounts for the 3/31/11 \$54,911.59 and 6/30/11 \$33,844.65 contributions. The Board denied an appeal regarding the Schedule A-1 violation, but they accepted the adjustment the Committee had made regarding the recalculated contribution and based the assessment on the adjusted amount. The original contribution amount for the 2nd Quarter of 2011 was \$33,844.65 and the adjusted amount was \$13,470.04. The Respondent now has recalculated the contribution for the 1st Quarter of 2011 and the notarized supporting materials indicate that the Committee has now excluded the amount of funds that they calculated were actually spent on communications within the association and expenses spent by IHA staff that was not associated with the PAC in a similar adjustment. A contribution does not include communications by an association to its members and executive or administrative personnel or their families, and I believe the IHA PAC would therefore be correct in their calculations on adjusting the in-kind contribution amount down to \$6,461.73 with the materials they supplied. The original contribution amount for the 1st Quarter of 2011 was

\$54,911.59 and the adjusted contribution amount was \$6,461.73. Taking into consideration the Board has already in a way accepted the adjusted amount regarding the contribution that was made in the 2nd Quarter of 2011 at the February 2012 Board meeting when they voted to assess the Schedule A-1 violation based on the adjusted amount (\$13,470.04) I recommend the Board consider the adjusted amount for the 1st Quarter of 2011 in the same fashion. The total of the two adjusted contributions come to (\$6,461.73 + \$13,470.01) \$19,931.77 and this amount is less than the \$20,000 that the Committee is allowed to accept during an election cycle. The Committee has amended their 1st and 2nd Quarterly Reports for 2011 to reflect these adjusted amounts. The PAC has also reimbursed the IHA for work done by IHA employees in the 3rd and 4th Quarters of 2011 to stay in compliance with contribution limits for the remainder of that election cycle. I recommend the appeal be granted. If the Board accepts this recommendation the escheatment to the General Revenue Fund would not be required. (As of 3/31/12, the Committee reported a cash balance of \$1,246,903.61.)

A handwritten signature in cursive script that reads "Andy Nauman". The signature is written in dark ink and is positioned above the printed name and title.

Andy Nauman – Hearing Officer

June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 30, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Illinois Hospital Assn PAC (IHA PAC)
700 S 2nd St.
Springfield, IL 62704

ID# 675

RE: Violation of Contribution Limits

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits (March 2011 Quarterly reporting period) provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 12/31/11 election cycle as defined in Section 5/9-1.9(5):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Il Hospital Association	3/31/11	\$54,911.59	\$20,000	\$34,911.59

The committee did not return the portion of the contribution exceeding \$20,000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$52,367.38 (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$5236.73, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures.

In addition, this committee has accepted the following contributions in violation of the contribution limits (June 2011 quarterly reporting period) provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 12/31/11 election cycle as defined in Section 5/9-1.9(5):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Il Hospital Association	6/30/11	\$33,844.65	\$20,000	\$13,844.65

The committee did not return the portion of the contribution exceeding \$20,000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

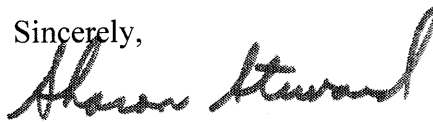
Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$20,766.97, (150% of the overage amount). However, since this is the second violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$10,383.48, (50% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures.

The total amount of \$64,376.45 (fine amounts plus the escheated amounts) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid within 30 days of the issuance of the Order

Enclosed please find Section 10 of ILCS 5/9-8.5(j) of the Act, Section 100.75(d-g) of the Rules and Regulations, and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment letter for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-0608. If you have questions regarding the contribution limits themselves, please call the Campaign Disclosure Division at 217/782-4141.

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: sk

Enclosures: appeal packet

STATE BOARD OF ELECTIONS
12 APR 30 PM 12:44

State of Illinois)
County of Sangamon)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Illinois Hospital Assn PAC (IHA PAC))

Respondent(s).)

Case No. 11 MA -CL001

APPEAL AFFIDAVIT

I, Kathleen Dunn, the Treasurer of the
(Name) (Chairman/Treasurer)

Illinois Hospital Assn PAC (IHA PAC)
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

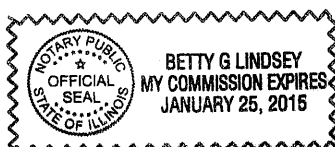
See attached letter

Signed and Sworn to by:
before me this 30 Day of
April, 2012

Notary Public

Betty G. Lindsey

Kathleen Dunn
(Signature of Chairman/Treasurer)



STATE BOARD OF ELECTIONS

April 30, 2012

12 APR 30 PM 12:43

Illinois State Board of Elections
Campaign Disclosure
1020 South Spring Street
Springfield, Illinois 62704



Dear State Board of Elections

The Illinois Hospital Association PAC (IHA PAC) appeals the penalty proposed by a March 30, 2012 letter from Sharon Steward, Director of the Campaign Disclosure Division and requests a hearing to consider its defenses, which are summarized in this letter.

On March 30, 2012, IHA PAC received a penalty letter from the Board for accepting contributions during the 1st and 2nd quarters of 2011 in violation of the \$20,000 annual contribution limit provided in 10 ILCS 5/9-8.5. Because IHA PAC reported in each quarter that it had received in-kind contributions from IHA in an amount greater than \$20,000, the Board staff concluded that IHA PAC had been delinquent in not returning the portions of the contributions exceeding \$20,000 to the contributor or donating the same amount to charity within the required time limit.

However, as explained in detail in IHA PAC's recent hearing before a Hearing Examiner and the Board related to its 2nd Quarter 2011 report, the PAC significantly over-reported the amount of in-kind contributions from IHA for that quarter by erroneously including "communications expenses" in the reported "contribution" amount. (The Board had issued a letter on August 30, 2011 issuing a fine against the PAC for being two days late in reporting an in-kind contribution from IHA that was greater than \$1,000, and the PAC appealed.) (Case No. 11 AJ 022.)

Since the statute excludes "communications expenses" from the definition of "contribution," the PAC should not have reported those expenses as contributions. In support of its appeal, the PAC submitted a detailed letter and affidavit specifying the amount of communications expenses, and calculating what the corrected in-kind "contribution" amount should have been for that quarter. Specifically, the letter and affidavit explained that after subtracting communications expenses of \$20,374.61, the actual amount of the in-kind contribution from IHA for that quarter was \$13,470.04.

The Hearing Officer, the General Counsel, and the Board agreed with the IHA PAC's position. In his November 9, 2011 report in that appeal (presumably intended to be dated November 19, 2011), the Hearing Officer agreed that a contribution does not include expenses for communications by an association (like IHA) to its members and executive or administrative personnel or their families, and that the PAC's calculations regarding the over-reporting of the in-kind contribution were correct. Subsequently, the Board issued a February 23, 2012 Order adopting its General Counsel's and Hearing Officer's recommendation regarding both the exclusion of "communications expenses" from the definition of "contribution" and the corrected calculation of IHA's in-kind contribution in the 2nd quarter. The Board issued a substantially reduced fine of \$1,347.00, which the IHA PAC paid on February 28, 2012.

1151 East Warrenton Road
P.O. Box 3015
Naperville, Illinois 60566
630.276.5400
www.ihatoday.org

Please make checks payable to IHA PAC.
Contributions made to IHA PAC are not deductible for federal income tax purposes.

"A copy of our report filed with the State Board of Elections is (or will be) available for purchase from the State Board of Elections, Springfield, Illinois."

The PAC had previously completed the same re-calculation regarding IHA's in-kind contribution for the 1st Quarter of 2011. After excluding \$45,890.30 in "communications expenses" using the same methodology that was used for the 2nd Quarter of 2011, and after excluding a small amount of administrative expenses of IHA that were improperly characterized as PAC expenses (\$2,559.56) the amount of the IHA in-kind contribution for that quarter was reduced from \$54,911.59 to \$6,461.73.

Therefore, the total amount of the in-kind contribution from IHA to IHA PAC for the 1st and 2nd quarters in 2011 was \$19,931.77. The PAC therefore did not receive an in-kind contribution from IHA over the \$20,000 limit in the first two quarters of 2011. For the third and fourth quarters (the remainder of the 2011 election cycle), the IHA PAC reimbursed IHA for any remaining in-kind work that would have resulted in a total annual contribution in excess of \$20,000.

We respectfully request that a Hearing Officer be appointed to hold a hearing in Chicago. Once appointed, our attorneys plan to discuss with the Hearing Officer the best way to present our legal analysis and factual information. We will be represented at the hearing by Sidley Austin LLP.

The IHA looks forward to discussing these matters with the Hearing Officer and the Board and to resolving these issues as expeditiously as possible with the Board.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Dunn".

Kathleen Dunn
IHA PAC Treasurer



SIDLEY AUSTIN LLP
ONE SOUTH DEARBORN STREET
CHICAGO, IL 60603
(312) 853 7000
(312) 853 7036 FAX

David H. Hoffman
Partner

david.hoffman@sidley.com
(312) 853 2174

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SYDNEY
TOKYO
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June 28, 2012

By Hand Delivery

Mr. Andy Nauman
Hearing Examiner
Illinois State Board of Elections
100 West Randolph Street, Suite 14-100
Chicago, IL 60601

Re: *Appeal of ISBE Proposed Penalty Against
Illinois Hospital Association PAC (ID # 675), No. 11MA-CL001*

Dear Mr. Nauman:

I am writing on behalf of the Illinois Hospital Association (IHA) regarding the Illinois State Board of Elections' ("ISBE") March 30, 2012 violation letter to the IHA PAC. As we agreed by phone, we are submitting what we believe to be the relevant facts and analysis by letter, and will wait to hear from you once you determine whether a hearing may be necessary. As we discussed, we would be happy to appear before you for a hearing if you determine that it would be helpful to the resolution of the issues.

On April 14, 2011 and July 15, 2011, the IHA PAC timely filed its D-2 quarterly reports for the first and second quarters of 2011, respectively. Each D-2 listed an in-kind contribution from IHA – the first quarter report listed an in-kind contribution of \$54,911.59 on March 31, 2011, and the second quarter report listed an in-kind contribution of \$33,844.65 on June 30, 2011.

On March 30, 2012, ISBE issued a violation letter to the PAC stating that these two contributions from IHA exceeded \$20,000 in violation of the contribution limit set out at 10 ILCS 5/9-8.5(j). The letter assessed a fine of \$64,376.45 (fine amounts plus escheated amounts). The IHA PAC filed a timely appeal with the ISBE on April 30, 2012.

As explained below and as the Board and Hearing Examiner are aware from the recent appeal involving the same central issue, IHA inadvertently over-reported the amount of its in-kind contributions to the PAC in 2011 by incorrectly including "communications expenses" in its

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STATE BOARD OF ELECTIONS

Mr. Andy Nauman
June 28, 2012
Page 2

reported in-kind contributions. In that appeal, the hearing examiner and the Board concluded that the PAC's revised analysis and calculations were correct, and that the contribution amount set out in the PAC's appeal papers (and copied below) should be considered the proper contribution amount. (That appeal only involved the second quarter, but the analysis of the first quarter is effectively the same.)

When the incorrectly-reported amounts are removed from IHA's in-kind contributions for the first two quarters, the total IHA in-kind contributions for the first two quarters are less than \$20,000. The PAC has filed amended reports correcting the over-reported amounts for these quarters.

Thus, we submit that despite the PAC's erroneous initial filings, there was in fact no violation and therefore no basis for finding a violation under 10 ILCS 5/9-8.5(j) or imposing a fine. The PAC therefore respectfully requests that the Hearing Examiner recommend that this appeal be granted and the violation letter be dismissed.

1. Second Quarter Report and Prior Proceeding

The Hearing Examiner and the Board have already received detailed evidence – and made detailed findings – regarding the second quarter contribution at issue here. Those findings were made in the PAC's appeal of the Board's August 30, 2011 violation letter against the PAC for being two days late in filing an A-1 report regarding IHA's second-quarter contribution of \$33,844.65. As explained at the November 17, 2011 hearing, the PAC erroneously included "communications expenses" in the reported contribution amount, which the Illinois Campaign Disclosure Act explicitly excludes from the definition of "contribution." Section 5/9-1.4(B)(d). Once the time and expenses spent by IHA employees making communications to IHA member hospitals and their staffs were removed from the calculation, the corrected contribution amount of the second quarter was \$13,470.04. (We have attached as an exhibit the PAC's prior appeal letter and affidavit of Lacy Cortez describing the revised calculation for the second quarter, as accepted by the Hearing Officer and the Board.)

In a report and recommendation dated November 19, 2011, the Hearing Examiner agreed with the PAC's conclusion that it had over-reported the contribution and agreed with its recalculation. Subsequently, the Board issued a February 23, 2012 Order adopting its General Counsel and Hearing Officer's recommendation. The corrected amount of \$13,470.04 has now been accurately reported in the PAC's amended second quarter D-2 report.

2. First Quarter Report

Just as in the second quarter, the PAC significantly over-reported the IHA in-kind contribution for the first quarter of 2011. The initial D-2 report for this quarter reported

\$54,911.59 as an in-kind contribution from IHA. Of this amount, \$45,579.30 represented time and expenses spent by IHA employees making communications to IHA member hospitals and their staffs, and \$2,870.56 represented time and expenses spent by IHA's General Counsel and two other employees doing work for IHA, not the PAC. All of these amounts (a total of \$48,449.86) were erroneously included by the PAC in the total reported contribution for the first quarter. These amounts should have been excluded from the IHA in-kind contribution using the same methodology and calculation the Board approved for the second quarter.

When the PAC was made aware of the error after it received the Board's August 30, 2011 violation letter, it immediately examined its listed in-kind contributions for both the first and second quarter and quickly determined that they had been inadvertently over-reported. During September 2011, the calculations for the two quarters described here and in the prior appeal were completed.

Just as we did in the prior appeal for the second quarter, we attach an affidavit from IHA's Director of Accounting, Lacy A. Cortez, which details the over-reporting of IHA's in-kind contribution for the first quarter, along with a summary chart at the end of her affidavit. Cortez's affidavit about the first quarter contribution establishes that of the \$54,911.59 originally reported as an in-kind contribution from IHA, the following amounts should not have been reported as a contribution:

\$39,877.31 was the value of the time spent by four IHA employees communicating with the officials and staff at IHA member hospitals about the PAC. This included calls, emails, letters, speeches, and presentations that informed officials and staff at IHA member hospitals about the PAC's activities and attempted to persuade them to support the PAC. (Affidavit ¶ 7.)

\$2,559.56 was the value of the time spent by IHA's General Counsel and an I.T. manager supervising, advising, and providing computer support to IHA staff who performed the PAC's record-keeping and reporting in order to ensure that those IHA employees were in compliance with applicable Illinois law and IHA policies. (The time spent by those IHA employees who actually performed the PAC's record-keeping and reporting remain included in the calculation of IHA's in-kind contribution.) (Affidavit ¶ 8.)

\$5,701.99 was the amount of expenses relating to communications with IHA members. This included traveling to IHA member hospitals around the state to make these communications in person, postage to send the communications, design services for tickets printed for a fundraiser to communicate with IHA members, and materials to produce the communications. (Affidavit ¶ 9.)

\$311.00 was the amount of expenses spent on lobbyist registration fees for an IHA employee who registered as a lobbyist for IHA, not the PAC, and who lobbied only on behalf of IHA. (Affidavit ¶ 9.)

This results in a total over-reported amount of \$48,449.86, which should never have been reported as a "contribution" to the IHA PAC.

The remaining amount (\$6,461.73) consists of \$4,974.07 in employee time that appears to have been spent doing administrative and ISBE reporting work for the PAC, along with \$1,487.66 in PAC administrative expenses. (Affidavit ¶ 10(c).) This amount has been reported as the corrected in-kind contribution from IHA for the first quarter of 2011.

When the over-reported amounts are removed, the remaining IHA contribution for the first quarter is \$6,461.73 and the remaining contribution for the second quarter is \$13,470.04, for a total of \$19,931.77. Although this total amount is close to \$20,000, these first- and second-quarter calculations were completed in September 2011, and there was no significance to IHA or the PAC whether this \$20,000 threshold was crossed in the second quarter or the third quarter. Because the total first- and second-quarter contributions were so close to the \$20,000 limit, that limit was reached early in the third quarter based on work done by IHA employees for the PAC. After that limit was reached, the PAC reimbursed IHA for work done by IHA employees in the third and fourth quarters of 2011. Those reimbursement payments were also made months ago (shortly after the third quarter ended, and at the end of the fourth quarter, respectively).

3. No Penalty Should be Assessed

The Board's regulations state that the Board's assessment of a civil penalty in the notice of violation will be final "unless the committee shows cause as to why the penalty should not be assessed." 26 Admin Code. § 100.75(g). The PAC submits that it has shown such cause. As amended and properly calculated, the IHA contributions for the first and second quarters totaled \$19,931.77 and did not exceed \$20,000 in these quarters or later in the year. The PAC reported these corrected amounts in its amended filings for the first and second quarters.

The PAC submits that it was not in violation of 10 ILCS 5/9-8.5(j) of the Code, and that therefore no penalty should be assessed. The PAC therefore respectfully requests that the Hearing Examiner recommend that the Board grant the appeal and dismiss the violation letter.



Mr. Andy Nauman

June 28, 2012

Page 5

Please let me know if you believe a hearing is necessary or would be helpful in this matter, or if you would like us to provide any additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Hoffman", with a long horizontal flourish extending to the right.

David H. Hoffman

Attachments

cc: Mark D. Deaton, General Counsel
Illinois Hospital Association

AFFIDAVIT OF LACY A. CORTEZ

I, Lacy A. Cortez, being duly sworn, hereby state and declare as follows:

1. I am the Director of Accounting for the Illinois Hospital Association (IHA) and have worked in this position for fifteen months. Prior to this, I was an Accounting Manager at Goodpack USA, Ltd., for four years. I have been a certified public accountant for eleven years.

2. The IHA is a 501(c)(6) not-for-profit corporation based in Naperville, Illinois, and also maintains an office in Springfield, Illinois. Approximately 205 hospitals throughout Illinois are members of the IHA. The IHA has a political action committee, the IHA PAC, that is registered with the State of Illinois.

3. At IHA, I am a supervisor in the Corporate Finance Department where I supervise five accounting employees. Several employees in the Corporate Finance Department do bookkeeping or administrative work relating to the PAC, including work relating to quarterly and other reports that must be filed by the PAC with the Illinois State Board of Elections (ISBE).

4. With regard to the PAC's accounting for the first quarter of 2011, we followed the process we had used in the past for calculating in-kind contributions to the PAC from IHA. Specifically, an IHA employee in Corporate Finance asked IHA employees whether they had done work relating to the PAC, and if so, the number of hours worked. We then multiplied the person's hours by the appropriate hourly rate to arrive at the value of the person's work relating to the PAC. We also asked for any related expenses. We then added the expenses to the total value of the work and reported this amount as an in-kind contribution to the PAC. For the first quarter of 2011, this amount was \$54,911.59, which consisted of (A) \$47,410.94 worth of time spent by 13 different employees, and (B) \$7,500.65 in expenses.

5. In September 2011, I was asked by IHA officials to obtain more details about the staff time and expenses that had been reported as in-kind contributions to the PAC for the first quarter of 2011, including a determination of how much of the staff time for the 13 employees, and related expenses, were for communications with IHA members and IHA employees. I conducted that inquiry along with Deb Butler, an accounting specialist at IHA who reports to me. Prior to this, I was unaware that there was any need to make a distinction between staff time spent communicating with IHA members about the PAC, and other staff time relating to the PAC.

Employee time reported as in-kind contributions

6. Based on information provided to us by the employees, we determined that for 7 of the 13 employees, it was likely that none of their time that had been reported as an in-kind contribution to the PAC for the first quarter of 2011 had been spent on communications with IHA members. When these employees spent time on work for the PAC, it appeared that their work consisted mainly of administrative tasks such as bookkeeping and ISBE reporting. The value of the time for these 7 employees (listed as "Employees 1-7" in the attached chart) that was reported as an in-kind contribution to the PAC was approximately \$4,528.72.

7. Based on information provided to us by the employees, we determined that for 4 of the 13 employees, all of whom are in the IHA Government Relations Department, all or most of the time that had been reported as an in-kind contribution to the PAC had been spent on tasks relating to communications with IHA members. The value of the time for these 4 employees (listed as "Employees 10-13" in the attached chart) that was reported as an in-kind contribution is approximately \$40,322.66. Of this, \$39,877.31 is the approximate value of time spent on tasks

relating to communications with members, and \$445.35 is the approximate value of time spent on other tasks. Specifically:

a. Nancy DeMarco is in the Government Relations Department of IHA and her title is Development Director for IHA. She is based in Springfield. Approximately 474.5 hours of her time were reported as an in-kind contribution to the PAC for the first quarter of 2011. One of her core tasks is to inform staff at IHA member hospitals about the IHA PAC's activities, and to persuade staff at member hospitals to support the PAC. She therefore spends a substantial amount of time speaking, emailing, and writing letters to officers, directors, trustees, and staff of IHA member hospitals, and doing work to prepare her communications with members (e.g., drafting letters, documents, presentations, and speeches, and organizing events at which she will communicate with staff of member hospitals). All of these tasks constitute communications with IHA members. Some of these communications occur in person at the hospitals or at events around the State, and she therefore travels a great deal for this portion of her job. We determined that all of Ms. DeMarco's 474.5 hours that had been reported as an in-kind contribution were spent conducting the tasks described above, and were therefore communications with IHA members.

b. Howard Peters is Executive Vice President at IHA. He is based in Springfield. Approximately 22.84 hours of his time were reported as an in-kind contribution to the PAC for the first quarter of 2011. Like Ms. DeMarco and Ms. Dunn, Mr. Peters spends time communicating with staff of member hospitals about the IHA PAC. We determined that all of his 22.84 hours that had been reported as in-kind contribution to the PAC consisted of time speaking and emailing to officers, directors, trustees, and staff of IHA member hospitals, and doing work to prepare his communications with IHA members.

c. Kathleen Dunn is Vice President of Government Relations at IHA. She is based in Springfield. Approximately 45.68 hours of her time were reported as an in-kind contribution to the PAC for the first quarter of 2011. Like Ms. DeMarco, Ms. Dunn spends time communicating with staff of member hospitals about the IHA PAC. Ms. Dunn estimates and we determined that almost all of her time (approximately 98%) that had been reported as in-kind contribution to the PAC consisted of time speaking and emailing to officers, directors, trustees, and staff of IHA member hospitals, and doing work to prepare her communications with members. We determined that the remainder of her time (approximately 2%) consisted of ministerial administrative tasks that she performed in her role as Treasurer of the PAC (e.g., signing checks). We therefore calculated that of the 45.68 hours that had been reported as an in-kind contribution, approximately 44.77 hours constituted of communications with IHA members, and approximately 1 hour did not.

d. Linn Newton is an Administrative Assistant in the Government Relations Department. Approximately 237.5 hours of her time were reported as an in-kind contribution to the PAC for the first quarter of 2011. Ms. Newton spends a substantial amount of time assisting Nancy DeMarco, Kathleen Dunn, and Howard Peters in their efforts to communicate with IHA member hospitals. Specifically, Ms. Newton assists in the preparation of letters and other written communications to members, and assists in the organization of events and board meetings at which Ms. DeMarco and others communicate with staff member hospitals. On the other hand, Ms. Newton also spends a relatively small amount of time handling administrative or clerical work for the PAC, including work relating to the transfer of bank funds. Ms. Newton estimates and we determined that the split between these two types of tasks is about 93% on tasks relating to communicating with IHA members and about 7% on administrative/clerical

tasks. We therefore calculated that of the 237.5 hours that had been reported as an in-kind contribution, approximately 220.87 hours consisted of communications with IHA members, and approximately 16.63 hours did not.

8. We determined that for 2 of the 13 employees, all of their time that had been reported as an in-kind contribution to the PAC had been spent on work for IHA, not the PAC, by assisting IHA staff in complying with applicable Illinois law and IHA policies. The value of the time for these 2 employees (listed as "Employees 8-9" in the attached chart) that was reported as an in-kind contribution is approximately \$2,559.56. Specifically:

a. Mark Deaton is Senior Vice President and General Counsel of IHA. Approximately 10 hours of his time were reported as an in-kind contribution to the PAC for the first quarter of 2011. Mr. Deaton spent this time supervising and advising IHA staff who performed the PAC's record-keeping and reporting to ensure that their work for the PAC was in compliance with Illinois law and IHA policies. This included providing information to IHA employees about campaign disclosure laws and meeting with IHA employees about the IHA PAC appeal of the Board's October 2010 violation notice.

b. Michael Whitted is an Information Technology Manager for IHA. Approximately 10.50 hours of his time were reported as an in-kind contribution to the PAC for the first quarter of 2011. Mr. Whitted spends a substantial amount of time assisting IHA staff who performed the PAC's record-keeping and reporting by providing them with computer support. Specifically, Mr. Whitted's assistance to IHA staff allowed them to compile data and submit reports related to the PAC, as well as perform administrative functions for IHA itself. We determined that all of his 10.50 hours that had been reported as in-kind contribution to the PAC consisted of time providing IHA staff with computer support.

Expenses reported as in-kind contributions

9. As to the \$7,500.65 in IHA expenses that were reported as in-kind contributions for the first quarter of 2011, we determined that \$6,012.99 should not have been reported as a "contribution" to the PAC. Of this, \$5,701.99 were expenses relating to communications with IHA members, and \$311.00 were expenses relating to work done on behalf of IHA, not the PAC. The remaining expenses (\$1,487.66) consisted of administrative expenses for the PAC (specifically, bank fees principally charged as a result of credit card contributions to the PAC from member hospital officials).

- a. The expenses relating to communications with members consisted of:
 - i. \$784.55 in travel expenses by Nancy DeMarco, all of which related to her traveling to member hospitals or nearby locations to meet with or give presentations to hospital officials about the PAC.
 - ii. \$1,418.97 in postage and \$216.19 in messenger fees, all of which were to mail or deliver letters and other communications to IHA members.
 - iii. \$2,702.60 in printing and \$199.68 in paper and presentation materials, all of which were used to print and prepare letters, presentations, and other communications to IHA members; and
 - iv. \$380.00 in design services, all of which were used for printing tickets for a fundraiser in order to communicate with IHA members.

- b. The expenses that were for the IHA, not for the PAC, consisted of \$311.00 in lobbyist registration fees for Kathleen Dunn, who was registered as a lobbyist for IHA, not the PAC. Ms. Dunn did not lobby for the PAC, and this expense was simply misclassified as an expense for the PAC in the initial report.

Summary

10. Therefore, as summarized in the attached chart (Exhibit 1), we have calculated that of the \$54,911.59 reported as an in-kind contribution to the PAC for the first quarter of 2011:

a. \$39,877.31 was the value of employee time spent on tasks relating to communications with IHA members, and \$5,701.99 was for expenses relating to those communications, for a total of \$45,579.30 relating to communications with IHA members.

b. \$2,559.56 was the value of employee time spent on tasks for IHA, not the PAC, , and \$311.00 was the amount of expenses relating to work done for IHA, not the PAC, for a total of \$2,870.56 for work done for IHA, not the PAC.

c. \$4,974.07 was the value of employee time spent on tasks for the PAC that appeared to be unrelated to communications with IHA members, and \$1,487.66 was for expenses for the PAC that were unrelated to communications with members, for a total of \$6,461.73 worth of work for the PAC that did not relate to communications with IHA members.

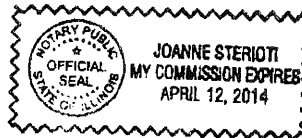
11. I declare under penalty of perjury that the foregoing is true and correct.

By: _____

Lacy A. Cortez

SUBSCRIBED AND SWORN to before me
this 28 day of June, 2012

Joanne Steriotti
Signature



NOTARY PUBLIC
My commission expires: April 12, 2014

Exhibit 1 to Affidavit of Lacy A. Cortez

	<u>Administrative etc.</u>	<u>IHA Compliance Admin. /Work on Behalf of IHA</u>	<u>Communications</u>	<u>TOTAL</u>
Employees 1-7	\$4,528.72	\$0.00	\$0.00	\$4,528.72
Employees 8-9	\$0.00	\$2,559.56	\$0.00	\$2,559.56
Employees 10-13	\$445.35	\$0.00	\$39,877.31	\$40,322.66
SUBTOTAL -- EMPLOYEE TIME	\$4,974.07	\$2,559.56	\$39,877.31	\$47,410.94
EXPENSES	\$1,487.66	\$311.00	\$5,701.99	\$7,500.65
GRAND TOTAL	\$6,461.73	\$2,870.56	\$45,579.30	\$54,911.59

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 DQ-CL 005

Citizens for Deborah Sims ID# 11768
Respondent


REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received a \$10,000 contribution from Willie Wilson on 10/4/11, exceeding the individual contribution limit of \$5,000, resulting in a required escheatment of \$5,000 and a civil penalty assessment of \$7,500.

Aeria Charles, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Charles states that the check received from Mr. Wilson was actually issued on behalf of his corporation, not from him as an individual. She says this was confirmed by Mr. Wilson, who apologized for any confusion that may have resulted.

Attempts to contact the Committee to obtain a copy of the check in question were unsuccessful. However, an internet check of the address reported by the Committee for the contribution shows a company named Willie Wilson Productions. It therefore seems plausible that the contribution was actually from the business, rather than the individual. I recommend the appeal be granted. I further recommend the Committee be ordered to amend its Quarterly Report for the period 10/1/11 – 12/31/11 within 30 days of the Final Board Order, to show the business as the contributor rather than the individual. (As of 3/31/12, this Committee reported a funds available balance of \$4,831.40.)



Tom Newman – Hearing Officer
May 23, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 30, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Deborah Sims
1549 W 122nd St
Chicago, IL 60643

ID# 11768

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/18/14 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Willie Wilson	10/4/11	\$10000	\$5000	\$5000
	TOTAL	\$10000	\$5000	\$5000

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$7500.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$750.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$5750.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$5000.00 must be paid within 30 days of the issuance of the Order.

CHICAGO

State of Illinois)

County of Cook)

2012 APR 30 PM 4:13

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11-100-CL005Citizens For DEBORAH Sims)
Respondent(s).)

APPEAL AFFIDAVIT

I, DEBRA CHARLES, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
Citizens For DEBORAH Sims
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

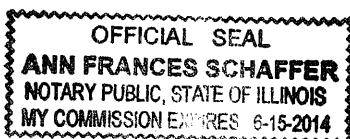
The check that was received from Mr. Willie Wilson
was a check we believe that was issued on behalf of his
corporation not to him or from him as an individual regarding the
issuance of the check, therefore we believe that there wasno violation of the statute. Mr. Wilson informed us that this
was a check to be issued from his business and he apologized for any confusion.

Signed and Sworn to by:

Ann Frances Schafferbefore me this 30 Day of
April, 2012

Signature of Chairman/Treasurer

Notary Public



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

12 MQ-CL 004

Friends of John Sullivan ID# 16708
Respondent

REPORT OF HEARING OFFICER


Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received contributions from the IL Labor Legislative Committee with the following dates and amounts: \$3000 on 2/4/11, \$1000 on 4/28/11, \$2000 on 7/26/11, \$5000 on 11/21/11, \$2000 on 12/30/11 and \$40,000 on 3/19/12. The total contribution during a single election cycle was therefore \$53,000, exceeding the \$50,000 contribution limit from a PAC to a Candidate Committee and resulting in a required escheatment of \$3000 and a civil penalty assessment of \$4500.

Jeffrey A McPherson, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. McPherson states that the first contribution was actually received in December 2010, but not deposited by the Committee until 2/14/11 and reported as such on its Quarterly Report. He includes a copy of the deposit slip and check from the IL Labor Legislative Committee, showing a date of 12/21/10. Mr. McPherson says using the correct 2010 receipt date would put the total contribution during the election cycle (1/1/11 – 3/20/12) at \$50,000, which is equal to but not above the contribution limit.

Section 5/9-10 of the Disclosure Act states in part that a contribution is considered received on the date it is deposited in a bank, financial institution or other repository of committee funds. However, this section of the law did not go into effect until January 1, 2011. Since the evidence provided by the Committee indicates the contribution check was received in December of 2010, before the new legal definition for date of receipt went into effect, the first \$3000 contribution can be considered to have been received prior to the start of the 1/1/11 – 3/20/12 election cycle. As a result, there was no violation of the contribution limits and I accordingly recommend the appeal be granted. However, I also recommend the Committee be ordered to amend its December 2010 Semi-Annual Report and March 2011 Quarterly Report to reflect the correct date of receipt for the \$3000 contribution, with these amendments to be filed within 30 days following the Final Board Order in this matter. (As of 3/31/12, this Committee reported a funds available balance of \$326,814.66.)



Tom Newman – Hearing Officer

June 25, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
May 31, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of John Sullivan
Jeffrey McPherson
500 Maine St
Quincy, IL 62301

ID# 16708

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
IL Labor Legislative Cmte	2/14/11	\$3000		
IL Labor Legislative Cmte	4/28/11	\$1000		
IL Labor Legislative Cmte	7/26/11	\$2000		
IL Labor Legislative Cmte	11/21/11	\$5000		
IL Labor Legislative Cmte	12/30/11	\$2000		
IL Labor Legislative Cmte	3/19/12	\$40000	\$50000	\$3000
	TOTAL	\$53000	\$50000	\$3000

The committee did not return the portion of the contribution exceeding \$50000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$4500.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$450.00, (10% of the amount in violation of the campaign contribution limit), regardless of whether you choose to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$3450.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$3000.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

12 JUN -6 PM 1:47

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 12MQ-CL004

FRIENDS OF JOHN SULLIVAN

Respondent(s).)

APPEAL AFFIDAVIT

I, JEFFREY A. MCPHERSON, the TREASURER of the
(Name) (Chairman/Treasurer)

FRIENDS OF JOHN SULLIVAN

(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THE COMMITTEE RECEIVED A CHECK DATED 12-21-10 FROM THE
IL LABOR LEGISLATIVE COMMITTEE IN THE AMOUNT OF \$3,000. THE CHECK
WAS NOT DEPOSITED UNTIL 2-14-11, WHICH RESULTED IN \$3,000 BEING
REPORTED IN THE PERIOD 1-1-11 TO 3-30-12. THE \$3,000 SHOULD BE

IN DECEMBER, 2010, LEAVING \$50,000 IN THE 1-1-11 TO 3-30-12 PERIOD. (SEE ATTACHMENT)

Signed and Sworn to by:

Jeffrey A. McPherson
before me this 5th Day of

June, 2012

Lowell A. Yates
Notary Public

Jeffrey A. McPherson

Signature of Chairman/Treasurer




SCHUYLER
STATE BANK

 RUSHVILLE, ILLINOIS
 MACOMB, ILLINOIS
Name Friends of John Sullivan

Address _____

Date 2/14/11ACCOUNT NO. [REDACTED]

Checks and other items are received for deposit subject to the rules and regulations of this bank. Deposits may not be available for immediate withdrawal.

	CURRENCY	DOLLARS	
	COIN		
	CHECKS		
	W. car Gas AAC	1000	00
	Assurant	500	00
	IL Laborers Log. Comm.	3000	00
	TOTAL OF CHECKS LISTED ON BACK		
	LESS CASH		
	TOTAL DEPOSIT	4500	00

 AMOUNT
 ***\$1,000.00

tion

Forster

 Details on back.
 Security Features included.

Warning: the face of this document has a colored background on white paper and the reverse side has a tamper evident hidden watermark.

THIS TICKET, WHEN HELD AT AN ANGLE, CHANGES COLOR GRADUALLY FROM DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM.



ASSURANT

TIME INSURANCE COMPANY
 888-868-3722
 501 WEST MICHIGAN
 MILWAUKEE, WI 53203

THE CHASE MANHATTAN BANK
 6040 TARBELL RD
 SYRACUSE, NY 13208

50-937/213

 CHECK NO.
 338980

DATE 01/19/2011

23FRIEJOHN

PAY

AMOUNT

\$500.00

Five Hundred United States Dollars And 00/100 ***** DOLLARS

 TO
 THE
 ORDER
 OF

 FRIENDS OF JOHN SULLIVAN
 PO BOX 224
 RUSHVILLE IL 626810224

VOID IF NOT CASHED IN 180 DAYS

Chad B.
 AUTHORIZED SIGNATURE

Kevin Misch
 AUTHORIZED SIGNATURE

 Security
 features
 included.
 Details on
 back.

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

[REDACTED]

4754

ILLINOIS LABORERS' LEGISLATIVE COMMITTEE

 #1 NORTH OLD STATE CAPITOL PLAZA, SUITE 525
 SPRINGFIELD, IL 62701

Illinois National Bank
 Springfield, IL 62701

70-933-711

Check Number: 4754

emo:

 DATE
 Dec 21, 2010

 AMOUNT
 3000.00

Three Thousand and 00/100 Dollars

 Friends of John Sullivan
 C/O Hubert G. Staff
 237 North 6th Street
 Quincy, IL 62301

John A. Reed
 AUTHORIZED SIGNATURE

Security features. Details on back.

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

11DQ-CL009

Citizens for Alderman Reilly 19263
Respondent

REPORT OF HEARING EXAMINER

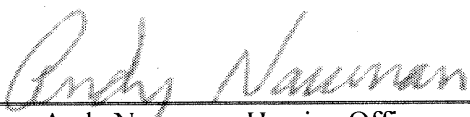
Appeal of Civil Penalty Assessment for a Violation of Contribution Limits
Received during the September 2011 Quarterly Reporting Period

This committee received contributions on 3/2/11 for \$5,000 and 10/31/11 for \$1,500 which exceeds contribution limits by \$1,500 during an election cycle and failed to return the portion of the contribution that exceeded \$5,000 to the contributor or donate the same amount to a charity within 15 days as required by statute, resulting in a required escheatment of \$1,500 and a civil penalty assessment of \$2,250. Additionally, the Committee has previously been assessed two \$100 civil penalties (appealed, denied, paid) for failing to file a Schedule A-1 for the 2007 Consolidated Election; a \$200 civil penalty (appealed, denied, paid) for failing to file a Schedule A-1 for the 2007 Consolidated Election; a \$1,000 civil penalty (appealed, denied, paid) for failing to file a Schedule A-1 for the 2007 Consolidated Election; a \$525 civil penalty (appealed, appeal withdrawn, stayed) for exceeding contribution limits during the March 2011 Quarterly reporting period; a \$375 civil penalty (not appealed, reduced, stayed) for failing to file a Schedule A-1 during the June 2011 Quarterly Reporting Period. The total assessment is \$2,775 and the escheatment amount is \$1,500.

The Respondent was represented by attorney Michael Kasper at the June 6th appeal hearing.

Michael Kasper indicated that the contributions were not received during the same election cycle for a candidate elected at the consolidated election. Brendan Reilly is the 42nd ward committeeman and alderman and he has two candidate committees. Reilly for Ward Committeeman is his candidate committee for committeeman and Citizens for Reilly is his aldermanic committee. Citizens for Reilly amended their Statement of Organization to show that their name changed to Citizens for Alderman Reilly on 5/31/12.

Citizens for Reilly has amended the name of their Committee to include the public office to which the candidate was seeking re-election as required by law. Prior to the Committee amending its name it was not clear which office this candidate committee was supporting (alderman and/or committeeman). The purpose of this Committee was to support the candidacy of Brendan Reilly. With the amending of the Statement of Organization I recommend the appeal be granted. If the Board accepts this recommendation the \$525 previously stayed contribution limit civil penalty will remain stayed and the escheatment of \$1,500 to the General Revenue Fund would not be required. (As of 3/31/12, this Committee reported a funds available balance of \$538,216.74.)



Andy Nauman – Hearing Officer
January 10, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 30, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Reilly
POB 10939
Chicago, IL 60610

ID# 19263

RE: Violation of Contribution Limits

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
JR Davis	3/2/11	\$5000	\$5000	
JR Davis	10/31/11	\$1500	\$5000	\$1500
	TOTAL	\$6500	\$5000	\$1500

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$2250.00, (150% of the overage amount). However, since this is the second violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$1125.00, (50% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures.

The total amount of \$2625.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid within 30 days of the issuance of the Board Order.

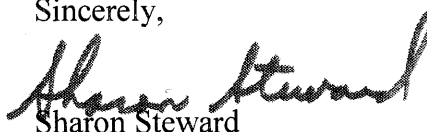
Enclosed please find Section 10 of ILCS 5/9-8.5(j) of the Act, Section 100.75(d-g) of the Rules and Regulations, and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. Appeal forms may also be found on our website, www.elections.il.gov. Notice of Appeal must be filed within 30 days of the date of this assessment letter for it to be considered.

If the above listed violation is not appealed, and since this is a subsequent violation of the contribution limits, the previously stayed fine(s) for violation of the contribution limits is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Contributed By</u>	<u>Civil Penalty</u>	<u>Escheatment</u>	<u>Total Due</u>
David Herro	\$525	\$3500	Appeal pending

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-0608. If you have questions regarding the contribution limits themselves, please call the Campaign Disclosure Division at 217/782-4141.

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: sk

Enclosures: appeal packet

State of Illinois)
 County of _____)

STATE BOARD OF ELECTIONS
 12 APR 10 AM 9:29

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

CITIZENS for Reilly
 Respondent(s).

Case No. 11 DB-CL 009

APPEAL AFFIDAVIT

I, Michael Kasper, the Counsel/Attorney of the
 (Name) (Chairman/Treasurer)
CITIZENS for Reilly
 (Name of the Committee)

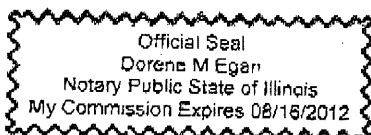
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

All of the contributions were not
received within the same election
cycle for a candidate elected to
the consolidated election

Signed and Sworn to by:

Michael Kasper
 before me this 2nd Day of
April, 2012
Dorene M Egan
 Notary Public

[Signature]
 Signature of Chairman/Treasurer



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 DQ-CL 013

Friends of Michael D Nardello
Respondent

ID# 23764

REPORT OF HEARING OFFICER

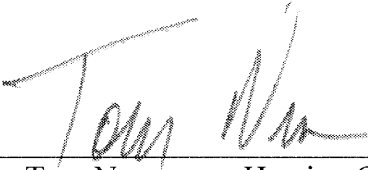
Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received a \$5,000 contribution from Mark LaRose on 11/1/11, and a subsequent \$200 contribution from Mark LaRose on 11/8/11. The total contribution was therefore \$5,200, exceeding the \$5,000 contribution limit from an individual and resulting in a required escheatment of \$200 and a civil penalty assessment of \$350.

KL Robertson Daly, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Daly states that both contributions were reported incorrectly by the Committee. She says the \$5,000 contribution was actually a corporate contribution from F&P Franklin, Inc, but the check was signed by Mr. LaRose and accidentally reported as coming from him rather than the business. Ms. Daly says the \$200 contribution came from the joint checking account of Mark and Mary LaRose and although Mark LaRose appears first in the account information the check was actually signed by Mary LaRose. She includes copies of both checks and adds that the Committee has already filed an amended Quarterly Report to correct the information.

A review of the documents enclosed by Ms. Daly and the Committee's filings indicates the situation is just as Ms. Daly described. No violation of contribution limits occurred, and I therefore recommend the appeal be granted. (As of 3/31/12, this Committee reported a funds available balance of \$4,412.79.)



Tom Newman – Hearing Officer
May 21, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

2329 S MacArthur Blvd.
PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 30, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Michael D Nardello
KL Robertson Daly
827 Columbian Ave
Oak Park, IL 60302

ID# 23764

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(5):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Mark LaRose	11/1/11	\$5000	\$5000	
Mark LaRose	11/8/11	\$200	\$5000	\$200
	TOTAL	\$5200	\$5000	\$200

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$350.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$35.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$235.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$200.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
County of COOK)

STATE BOARD OF ELECTIONS

12 APR 16 PM 2:12

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 1110-CL013

Friends of Michael D. Nardello)
Respondent(s).)

APPEAL AFFIDAVIT

I, KL Robertson Daly, the Chairman of the
(Name) (Chairman/Treasurer)
Friends of Michael D. Nardello
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

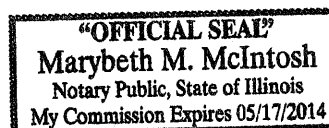
See attached (3)

Signed and Sworn to by:

KL Daly
before me this 10 Day of
Apr. 1, 2012

Marybeth M. McIntosh
Notary Public

KL Robertson Daly
Signature of Chairman/Treasurer



Explanation: Friends of Michael D. Nardello

\$200 individual contribution:

On October 24, 2012 a check (#7452) in the amount of \$200 was received from a joint account of Mark La Rose and Mary La Rose, signed by Mary La Rose as a donation to a campaign fundraiser. (It was inadvertently listed as a personal contribution from Mark La Rose rather than Mary La Rose- as his name appears first on the check and we believe that's how the initial error in reporting was made)

\$5000 corporate contribution:

On 11/7/2012, a corporate contribution was made from F&P Franklin Inc. (#0508) signed by Mark LaRose. (Both checks have an address of 1915 N. Neva so that is how believe the error was made-tracking the address in accounting system unfortunately rather than the corporation name the check came from.)

We apologize for the inconvenience the clerical error has caused. We have asked our accountant to correct the reporting error and file an amended report to reflect the correct information as attached.

Please do not hesitate to contact us if you need additional information or would like to meet to discuss further.

Sincerely,

KL Robertson Daly
708-337-0766

Pay to the order of

Friends of Michael D. Nardello \$ 200.00

Two hundred and 00/100 Dollars



JPMorgan Chase Bank, N.A.
www.chase.com

Memo: 10-24-11

1:07:10000131

Mark La Rose 12-87

Mary La Rose

1915 N. Nieuw Avenue

Chicago, IL 60707

773-450-9730

10-24-11

First Merit Bank, N.A.

501 W. North Avenue, Rose, IL 60160

285 First Merit Circle, Akron OH 44307-2359

fundraise

[Redacted]

Shun Chien 11-95

Vincent Y. Chien

344 Brighton Rd

Edin Grove Village St 60007-3426

Pay to the order of Friends of Michael D. Nardello \$ 100.00

One hundred and 00/100 Dollars



ACH R/T 081904808

1419

71-287/718 12

10-19-11

Date

ADELBERT BELL
SUSAN BELL
16007 DELMAR CT
LOWELL, IN 46356

Pay to the order of Friends of Michael D. Nardello \$ 500.00
Five hundred and 00/100 Dollars



219-756-2265 or 1-888-Centier
www.centier.com

Memo

The 50 Advantage

[Signature]

F P FRANKLIN, INC.
1915 N. NEVA
CHICAGO, IL 60707

2-7095/2710

0508

DATE 11/7/11

PAY TO THE ORDER OF

FRIENDS OF MICHAEL D. NARDELLLO
FIVE THOUSAND & NO/100

\$ 5,000.00

DOLLARS



Check
Number
11/7/11

FIRST CHICAGO BANK & TRUST
1145 N. ARLINGTON HEIGHT RD.
ITASCA, IL 60143

From: MARK LA ROSE
FOR PRESIDENT

AUTHORIZED SIGNATURE

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

12 MQ-CL 015

Pliura for Senate

ID# 23774

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received a total of six \$999 contributions from Dr. Kent Barber on the following dates: 3/8/12, 3/9/12, 3/12/12, 3/13/12, 3/14/12, and 3/15/12. The total contribution was therefore \$5,994, exceeding the \$5,000 contribution limit from an individual and resulting in a required escheatment of \$994 and a civil penalty assessment of \$1,491.

Scott Hendren, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Hendry states that the Committee received multiple loan contributions from Dr. Barber and his wife in the aggregate amount of \$9,990. He says each contributor intended to loan the Committee \$4,995 each, but Dr. Barber inadvertently made six loans, totaling \$5,994, and his wife gave four loans, totaling \$3,996. Mr. Hendry says the former Committee treasurer failed to notice the error and accepted each of the contributions. He says all ten loan contributions were returned to the contributors on April 8, 2012. He asks that the Committee not be required to escheat any money, because the contributions were refunded and the aggregate loan amount between Dr. and Mrs. Barber was within the statutory limit.

Regardless of the contributors' intentions, the fact remains that the Committee did accept six contributions from Dr. Barber, totaling \$5,994. Section 9-825(j) of the Disclosure Act states, "***A political committee that receives a contribution or transfer in violation of this Section shall dispose of the contribution or transfer by returning the contribution or transfer, or an amount equal to the contribution or transfer, to the contributor or transferor or donating the contribution or transfer, or an amount equal to the contribution or transfer, to a charity. A contribution or transfer received in violation of this Section that is not disposed of as provided in this subsection within 15 days after its receipt shall escheat to the General Revenue Fund and the political committee shall be deemed in violation of this Section and subject to a civil penalty not to exceed 150% of the total amount of the contribution.***" Although the contributions were refunded, this did not occur within the 15 day limit imposed by the above listed section. Therefore a contribution limit violation did occur and the escheatment is mandatory. As for Mr. Hendry's assertion that the aggregate loan between the two contributors was within the statutory limit, the Act clearly states that the contribution limit for a candidate political committee is \$5,000 from any individual per election cycle. There is no provision within the Act or Rules to support Mr. Hendry's interpretation.

I therefore recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first contribution limit violation for the Committee, I also recommend the penalty be reduced to 10% of the original assessment, or \$149. As a first violation, the penalty is stayed. The Committee must also complete the mandatory escheatment of \$994 to the General Revenue Fund. (As of 3/31/12, this Committee reported a funds available balance of \$30,092.94.)

A handwritten signature in dark ink, appearing to read "Tom Newman", is written over a horizontal line.

Tom Newman – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Springfield, Illinois 62704
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Bryan A. Schneider
Charles W. Scholz

Pliura for Senate
POB 130
LeRoy, IL 61752

ID# 23774

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Kent Barber	3/8/12	\$999		
Kent Barber	3/9/12	\$999		
Kent Barber	3/12/12	\$999		
Kent Barber	3/13/12	\$999		
Kent Barber	3/14/12	\$999		
Kent Barber	3/15/12	\$999	\$5000	\$994
	TOTAL	\$5994	\$5000	\$994

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$1491.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$149.00, (10% of the amount in violation of the campaign contribution limit), regardless of whether you choose to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$1143.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, *only* the escheated amount of \$994.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
)
County of McLean)

STATE BOARD OF ELECTIONS

12 JUN 28 PM 1:05

**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant,)
)
Vs.)
)
PLIURA FOR SENATE (ID No. 23774),)
)
Respondent.)

Case No. 12 MP-CLO15

APPEAL AFFIDAVIT

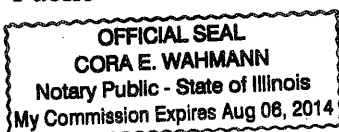
I, Scott Hendren, the Chairman of the Pliura for Senate Committee, first duly sworn deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Committee received multiple loan contributions from the candidate's sister and brother-in-law, Ramona Barber and Kent Barber in the aggregate amount of \$9,990.00. Applicable contribution limits were \$5,000 per contributor with Dr. and Mrs. Barber intending to loan the committee \$4,995 each. Dr. Barber inadvertently made a loan contribution of an extra (sixth) \$999 and Mrs. Barber inadvertently made only four loan contributions totaling \$3,996 instead of her intended \$4,995. The former Treasurer of the Committee failed to notice the error and accepted each of the contributions. All ten loan contributions, totaling \$9,990 were returned/repaid to Dr. and Mrs. Barber on April 8, 2012. The Committee respectfully requests that no amount escheat to the GRF since the aggregate loan amount between Dr. and Mrs. Barber was within the statutory limit and the entire loan amount was refunded to the contributors.

Signed and Sworn to by:
Scott Hendren
before me this 27th Day of
June, 2012.

Cora E. Wahmann
Notary Public

[Signature]
Signature of Chairman/Treasurer



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 DQ-CL 0002

Illinois Democratic County Chairmen's Association
Respondent

ID# 393

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received the following contributions from the Senate Democratic Victory Fund: \$1,000 on 3/3/11, \$5,000 on 8/1/11, \$500 on 8/1/11, \$5,000 on 9/21/11, \$5,000 on 11/14/11, and \$5,000 on 11/14/11. The total contribution from the Senate Democratic Victory Fund was therefore \$21,500, exceeding the \$20,000 contribution limit and resulting in a required escheatment of \$1,500 and a civil penalty assessment of \$2,250.

Alan Pirtle, the Chairman of the Committee, filed a Request for Hearing, and submitted an Appeal Affidavit. The hearing was held on March 9, 2012, and attended by Mr. Pirtle, Committee Treasurer Terissa Lashmett, and Association Executive Director Scott Doubet. At the hearing they stated the following:

Mr. Pirtle stated that of the \$21,500 received from the Senate Democratic Victory Fund, only \$500 of the total represented a contribution in the traditional sense. He said the other \$20,000 was actually a payment to the IDCCA for use of its Votebuilder electronic voter database.

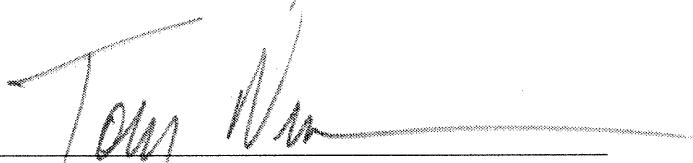
Mr. Pirtle explained that the Votebuilder system provides users with an expandable database of voter information and campaign management technology. Ms. Lashmett indicated the system was purchased from the Democratic National Committee roughly four years ago at a cost of about \$60,000. The IDCCA enters into a contract agreement with subscribers such as the Senate Democratic Victory Fund, and in addition to giving access to the Votebuilder system, the Association provides user training and technical support, as well as updating and maintaining the database. Fees charged for the service are negotiated on a case-by-case contractual basis, and depend on the size of the user's jurisdiction and the amount of technical support needed. Mr. Pirtle added that as the Votebuilder database grows it becomes more valuable, meaning fees charged for the system are likely to go up in the future. The fees paid for Votebuilder go in part towards the IDCCA's various overhead expenditures for the system, such as salaries and training of IDCCA's Votebuilder staff. Mr. Pirtle described Votebuilder as a "service" provided by the Association, saying "It's almost like being a vendor." As such he contends the payments for Votebuilder do not meet the statutory definition of contributions, and therefore should not be subject to contribution limits.

Mr. Pirtle also indicated that the IDCCA engages in fundraising and spending that is separate and apart from Votebuilder and the group also operates a federal political committee on file with the Federal Election Commission.

The Campaign Disclosure Act includes as one definition of a contribution, "*a transfer of funds received by a political committee from another political committee.*" While I agree with Mr. Pirtle that the \$20,000 received by his committee from the Senate Democratic Victory Fund does not appear to constitute a contribution in the traditional sense, the fact remains that the money was transferred from one political committee to another – even though the contribution was for payment for services rendered. I would also go one step further than Mr. Pirtle and say that in regards to the Votebuilder system, the Committee is not "almost like a vendor", it is in fact a vendor and is actually operating a business. While nothing in the Disclosure Act expressly prohibits this kind of business activity, there is also nothing in the Act allowing a political action committee to take in receipts from outside sources without being subject to contribution limits. Creating such an exemption would allow any political committee to circumvent contribution limits by accepting "payments" for services, real or imagined, instead of "contributions."

I am also concerned that although the IDCCA, on its FEC reports, shows a monthly in-kind contribution from the Democratic National Committee for "on-line voter file access" related to the Votebuilder system, no such contributions are shown on the IDCCA state PAC reports filed with the Board. Since the state PAC is receiving value from the software system, these in-kind contributions are subject to reporting requirements and contribution limits under the Illinois disclosure law.

As it currently stands, the Committee did receive \$21,500 from the Senate Democratic Fund, which is in excess of the contribution limit. I therefore recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first contribution limit violation for the Committee, I also recommend the penalty be reduced to 10% of the original assessment, or \$225. As a first violation, the penalty is stayed. The Committee must also complete the mandatory escheatment of \$1,500 to the General Revenue Fund. (As of 12/31/11, this Committee reported a funds available balance of \$62,573.26, with investments of \$34,746.65.)

A handwritten signature in dark ink, appearing to read "Tom Newman", is written over a horizontal line.

Tom Newman – Hearing Officer

March 22, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 S. Spring Street
PO Box 4187
Springfield, Illinois 62708-4187
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
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January 12, 2012

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Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

IL Democratic County Chairmans Assn.
Terrisa Lashmett
595 Moore Rd
Winchester, IL 62694

ID# 393

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 12/31/11 election cycle as defined in Section 5/9-1.9(5):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Senate Democratic Victory Fund	3/3/11	1000.00		
Senate Democratic Victory Fund	8/1/11	5000.00		
Senate Democratic Victory Fund	8/1/11	500.00		
Senate Democratic Victory Fund	9/21/11	5000.00		
Senate Democratic Victory Fund	11/14/11	5000.00		
Senate Democratic Victory Fund	11/14/11	5000.00	\$20000	\$1500
	TOTAL	\$21500	\$20000	\$1500

The committee did not return the portion of the contribution exceeding \$20000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 1020 S Spring St, Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$2250.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$225.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$1725.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$1500.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
)
County of St. Clair)

STATE BOARD OF ELECTIONS

12 FEB 10 PM 3:17

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. _____
)
IL Democratic County Chairmans Ass'n)
Respondent(s).)

APPEAL AFFIDAVIT

I, Alan G. Pirtle, the Chairman of the
(Name) (Chairman/Treasurer)
Illinois Democratic County Chairman's Association
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

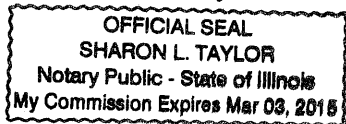
We respectfully request that the proposed penalty set out in
the Board's January 12, 2012 correspondence be waived or, in
the alternative, that it be reduced. Our Committee has a good
defense and reason for not returning the sum at issue and for
seeking the Board's ruling and advice herein because it is an
unusual matter of first impression.
(See attached for further explanation.)

Signed and Sworn to by:

Alan G. Pirtle
before me this 9th Day of
February, 2012

Sharon L. Taylor
Notary Public

[Signature]
Signature of Chairman/Treasurer



The treasurer of the Illinois Democratic County Chairmen's Association (ILDCCA) spoke with a State Board of Elections (SBE) staff member after receiving the initial notification about the transfers in question. The ILDCCA's treasurer later followed up with a letter to the SBE (see Exhibit A).

As was discussed with the SBE staff, in various increments the Senate Democratic Victory Fund (SDVF) paid the ILDCCA a total of \$21,500.00 in 2011. Each incremental payment by the SDVF was timely reported by the ILDCCA.

Of the total amount received from the SDVF, \$20,000.00 ("the sum") was in payment for Votebuilder. Votebuilder is an electronic voter database. Votebuilder is used by the SDVF and other campaigns to track their volunteers and do other campaign-related tasks. (More information about Votebuilder is found on Exhibit B). The sum paid to the ILDCCA gave the SDVF access to the Votebuilder database. ILDCCA staff service and maintain the Votebuilder database. In exchange for the sum, ILDCCA staff also provides initial Votebuilder training to SDVF. SDVF personnel then train their own candidates and staff to use Votebuilder to help elect SDVF's candidates. Thereafter, SDVF staff use Votebuilder to help elect their candidates in elections. The ILDCCA and its staff do not intervene or interfere with the SDVF's use of Votebuilder. ILDCCA staff provides technical support and answer questions when asked by SDVF staff. ILDCCA personnel also technically improve the database and update the data contained in it. ILDCCA staff does not operate the Votebuilder database for the SDVF. The sum also goes toward a proportionate share of the ILDCCA's various overhead Votebuilder expenditures such as salaries and training of ILDCCA's Votebuilder staff.

The SDVF reported the sums as itemized expenditures it made to the ILDCCA for "software". (See Exhibit B.)

Under the circumstances, the ILDCCA does not believe that the sums received by the SDVF for Votebuilder database access and use are "contributions" as defined or intended under the campaign finance laws. As referenced above and in Exhibit A, this belief was conveyed to the SBE in the oral and written communications made by the ILDCCA after being initially notified by the SBE. The SBE staff member acknowledged the unique nature of the payments and intimated that having the SBE review the situation in an appeal might be appropriate under the circumstances.

In light of the foregoing, the payment of the sum by the SDVF does not appear to meet the statutory definition of "contribution" for the purpose of the statutory contribution caps. It is unlike a situation where a campaign committee receives contributions which the committee then uses to help elect a candidate or promote a certain issue. It is more closely associated with

a situation where a political committee pays a vendor for a service or item (like software, for example) which the committee then uses for its campaign.

The ILDCCA acknowledges that this is a unique and unusual situation. For this reason, the ILDCCA welcomes the opportunity to have the SBE carefully consider the situation and give the ILDCCA definitive guidance and direction. For this reason and the ILDCCA's good faith herein, the ILDCCA requests that the SBE waive the penalty or assessment against the ILDCCA even if the sums are determined to have been "contributions" subject to the caps.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

12 MQ-CL 001

Citizens for Kirk Dillard (for Senate) ID# 9857
Respondent

REPORT OF HEARING OFFICER

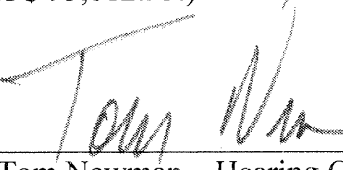
Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received a \$5,000 contribution from Kenneth Walker on 8/5/11 and a \$1,000 contribution from Kenneth Walker on 3/1/12. The total contribution was therefore \$6,000, exceeding the \$5,000 contribution limit from an individual and resulting in a required escheatment of \$1,000 and a civil penalty assessment of \$1,500.

David Carlin, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Carlin states that the initial \$5,000 contribution was from Kenneth Walker, but the second \$1,000 contribution should have been reported as coming from Mr. Walker's wife, Patricia. He says the Walkers possess a joint checking account and they each came individually to a different Committee event. Mr. Carlin includes copies of the two contribution checks and says the Committee will amend its reports to reflect the correct contribution information.

The checks enclosed by Mr. Carlin do show the account listed as "Kenneth L. or Patricia K. Walker." However, both checks appear to have been signed by Mr. Walker. Without any hard evidence to the contrary, it therefore appears both contributions were correctly reported as coming from Mr. Walker, so I recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first contribution limit violation for the Committee, I also recommend the penalty be reduced to 10% of the original assessment, or \$150. As a first violation, the penalty is stayed. The Committee must also complete the mandatory escheatment of \$1,000 to the General Revenue Fund. (As of 3/31/12, this Committee reported a funds available balance of \$ 95,012.95.)



Tom Newman – Hearing Officer
June 29, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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May 31, 2012

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Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Kirk Dillard
David Carlin
POB 25
Naperville, IL 60563

ID# 9857

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Kenneth Walker	8/5/11	\$5000		
Kenneth Walker	3/1/12	\$1000	\$5000	\$1000
	TOTAL	\$6000	\$5000	\$1000

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$1500.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$150.00, (10% of the amount in violation of the campaign contribution limit), regardless of whether you choose to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$1650.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$1000.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
County of DePue)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS
12 JUN 27 AM 10:21

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens for Kirk Dillard)
Respondent(s).)

Case No. 12 MQ-CL001

APPEAL AFFIDAVIT

I, David Carlin, the Chairman of the
(Name) (Chairman/Treasurer)
Citizens for Kirk Dillard
(Name of the Committee)

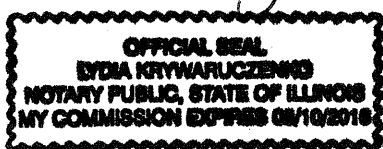
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The contribution of Mr. & Mrs. Walker should have been
shown "\$5000 from Kenneth Walker & "1000 from
Patricia K. Walker. They possess a joint
checking account - See Exhibit. They came

individually - each of them -- to our events. A power of A-1
and corrected D-2 will be filed. (It is stronger the software
does not alert us to overages as an alert).

Signed and Sworn to by: David Carlin
before me this 21st Day of
JUNE, 2012
Lydia Krywanogor
Notary Public

David Carlin
Signature of Chairman/Treasurer



EX. #1

KENNETH L. OR PATRICIA K. WALKER

7794 FARRAND ROAD
SHERMAN, IL 62684

10-90

3963

70-1667/711
2

DATE 2-18-12

PAY
TO THE
ORDER OF

Citizens for Turk Dillard
One thousand and 00/100 \$ 1000.⁰⁰

Security
Features
Back

DOLLARS



WILLIAMSVILLE
STATE BANK AND TRUST
Williamsville • Sherman • Springfield, Illinois
"In Touch Line" (217) 566-2833

FOR 3112 Edgar Ave

[Signature]

KENNETH L. OR PATRICIA K. WALKER

7794 FARRAND ROAD
SHERMAN, IL 62684

10-90

3865

70-1667/711
2

DATE 2-17-11

Citizens for Turk Dillard
Five thousand and 00/100 \$ 5000.⁰⁰

DOLLARS



WILLIAMSVILLE
STATE BANK AND TRUST
Williamsville • Sherman • Springfield, Illinois
"In Touch Line" (217) 566-2833

[Signature]

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

11DQ-CL006

Citizens for Antonio "Tony" Munoz 13732
Respondent

REPORT OF HEARING OFFICER

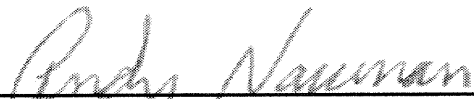
Appeal of Civil Penalty Assessment for a Violation of Contribution Limits
Received during the December 2011 Quarterly Reporting Period

This Committee received in-kind contributions on 10/31/11 from Enterprise Leasing Co of Chicago Group for \$36,579.70 which exceeds contribution limits during an election cycle and the Committee failed to return the portion of this contribution that exceeded \$10,000 to the contributor or donate the same amount to a charity within 15 days as required by statute, resulting in a required escheatment of \$26,579.70 and a civil penalty assessment of \$3,987.

The Respondent was represented by Michael Kasper at the June 4th appeal hearing.

Mr. Kasper indicated that the Committee should not have been assessed for they returned the portion of the contribution that exceeded contribution limits (copy of check attached).

The check shows that the contribution was returned to the contributor, however the portion of the contribution exceeding \$10,000 (\$26,579.70) was not returned to the contributor or donated to a charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Therefore, I recommend that the appeal be denied for lack of an adequate defense. However, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$3,987. As a first violation, the penalty is stayed. However, the Committee must escheat the amount of \$26,579.70 to the General Fund via the State Board of Elections. (As of 3/31/12, this Committee reported a funds available balance of \$232,751.22 and an additional \$20,000 in investments.)



Andy Nauman – Hearing Officer
June 11, 2012

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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PO Box 4187
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
March 30, 2012

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Antonio "Tony" Munoz
POB 09112
Chicago, IL 60690

ID# 13732

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(1):

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Max Contribution Allowed</u>	<u>Amount in Violation of Limits</u>
Enterprise Leasing Co of Chicago Group	10/31/11	\$36,579.70	\$10000	\$26,579.70
	TOTAL	\$36,579.70	\$10000	\$26,579.70

The committee did not return the portion of the contribution exceeding \$10000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 2329 S MacArthur Blvd., Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$39,870.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$3987.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$30,566.70 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, **only** the escheated amount of \$26,579.70 must be paid within 30 days of the issuance of the Order.

RECEIVED

APR 23 2012

State of Illinois)
)
County of _____)**State Board of Elections****BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

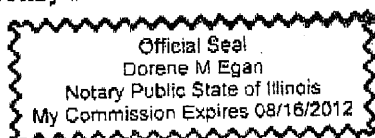
Vs.)

Case No. 11 DCQ-CLO06CITIZENS for ARMAND MUNOZ
Respondent(s).**APPEAL AFFIDAVIT**I, Michael Kapor, the Attorney of the
(Name) (Chairman/Treasurer)CITIZENS for ARMAND MUNOZ
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Committee has refunded any
excess contributions and therefore
the penalty should not have
been imposed

Signed and Sworn to by:

Michael Kapor
before me this 23rd Day of
April, 2012Dorene M Egan
Notary PublicMichael Kapor
Signature of Chairman/Treasurer

Citizens for Antonio (Tony) Munoz
P. O. Box 09112
Chicago, IL 60609

02-17710

2455

DATE April 10, 2012

PAY TO THE
ORDER OF

Enterprise Leasing Co. of Chicago Group \$ 26,579.70
Twenty Six Thousand Five Hundred Seventy Nine 70/100 DOLLARS

CHASE
Member FDIC
Chicago, IL 60609

Patricia Rodriguez
AUTHORIZED SIGNATURE

SECURITY
FEATURES
DETAILS ON BACK

FOR

THE PAGE OF THIS DOCUMENT CONTAINS HEAT-SENSITIVE INK. TOUCH OR RUB RED IMAGE. IT WILL DISAPPEAR WITH HEAT.

STATE BOARD OF ELECTIONS

2329 South MacArthur Blvd.

Springfield, Illinois 62704

217/782-4141

Sharon Steward

Director, Division of Campaign Disclosure

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, & Steve Sandvoss, General Counsel

Re: Final Board Orders

Date: July 2, 2012

A list of committees that have been assessed civil penalties necessitating final board orders for delinquently filing or failure to file various reports or for exceeding contribution limits will be sent under separate cover prior to the July 16th Board meeting.

STATE BOARD OF ELECTIONS**2329 S MacArthur Blvd****Springfield, Illinois 62704****217/782-4141****Sharon Steward, Director, Campaign Disclosure Division**

To: Rupert T. Borgsmiller, Executive Director, Members of the Board
 Re: Payment of Civil Penalties - Informational
 Date: 7/2/2012

The following committees have made payment of outstanding civil penalties for the period
 of 5/18/2012 to 7/2/2012

Cmte ID	Cmte Name	Amt of Check
73	Maine Township Regular Republican Org	\$75.00
16364	Citizens for Jim Watson	\$50.00
23619	Albracht for Senate	\$400.00
11278	Illinois Rental/Purchase Dealers PAC	\$400.00
19270	Warren Township Democrats	\$250.00
758	IL Machinists Non-partisan Political League	\$400.00
23453	Friends of Candace Mueller	\$275.00
16208	Illinois Fire Chief's Assn PAC	\$150.00
21879	Committee to Elect Todd Piper	\$25.00
21879	Committee to Elect Todd Piper	\$250.00
21961	Build53yes.org	\$450.00
21961	Build53yes.org	\$100.00
14153	Citizens for Lyle	\$250.00
1086	NOW/Equality/PAC	\$50.00
23385	Chicago Police Sergeants' Assn PAC	\$2,600.00
1049	Rich Township Democratic Org	\$125.00
7425	Committee for Frank J Mautino	\$263.00
17290	Friends of George A Cardenas	\$650.00
667	Tazewell County Republican Central Committee	\$110.00
17163	Citizens for Ariel E Reboyras	\$100.00
23942	Nancy Hobbs for Franklin County Circuit Clerk	\$350.00
4271	United Home Owners/Good Govt Party	\$300.00
19300	Chicago Young Republicans	\$250.00
22659	Citizens to Elect Michelle Coady	\$75.00
23691	Joy Cunningham for Justice	\$250.00
21253	Move Illinois Forward	\$100.00
17003	Cmte to Elect Howard B Brookins, Jr	\$325.00
17243	Teamsters Joint Council No 65	\$175.00
9824	Committee to Elect Jack Lehayne	\$25.00
23797	Citizens for Tim Elenz	\$100.00
20492	Proviso First Party	\$250.00
22182	Booker for Sheriff	\$175.00
14305	Democratic Organization Of Lyons Township	\$1,500.00
14093	Citizens for Steve Landek	\$375.00
21890	Friends of Robin Kelly	\$75.00
20835	Alliance for Living PAC	\$4,200.00
24077	Friends of Tom Smithburg	\$100.00
10708	Citizens for O'Neill	\$1,550.00
17849	Committee to Elect Michael D Burke State's Attorney	\$250.00
18418	Frankfort Township Democratic Org	\$175.00
11411	Volunteers for Delgado	\$3,000.00

17024	JUSTPAC, the Political Action Committee of the IL Civil Justice I	\$1,729.00
21603	Citizens for Non-Partisan Local Elections	\$500.00
22590	The Friends of Norman Davis	\$350.00
23869	Committee to Elect Nicholas G Grapsas	\$300.00
22661	Friends of Brian Duewel	\$154.79
21626	Citizens for Beth Akeson	\$300.00
19747	Citizens for Cappleman	\$1,250.00
12208	Federation of Women Contractors PAC	\$1,000.00
20148	Friends of Rachel Goodstein	\$100.00
23773	Mike Smiddy for State Representative	\$1,500.00
7533	Committee for Chris Kachiroubas	\$200.00
22142	Friends of Don Jones	\$100.00
19270	Warren Township Democrats	\$50.00
23801	Citizens for Vincent E Lockett	\$325.00
326	Illinois NOW PAC	\$150.00
22749	Citizens to Elect John Arena	\$250.00
763	Communication Workers of America Dist 4 PEC	\$547.00
21125	50th Ward Regular Democratic Organization	\$500.00
23942	Nancy Hobbs for Franklin County Circuit Clerk	\$50.00
543	Illinois Restaurateurs PAC	\$3,050.00
9921	The Alliance PAC (IL Assn of School Administrators/IL Principal	\$600.00
23940	Citizens for Sean P Smith	\$277.00
22450	Committee to Elect Corinne M Pierog	\$83.00
350	Lake County Republican Central Comm	\$350.00
23023	Roth for County Board	\$100.00
15569	Citizens to Elect Linda Jackson	\$250.00
23974	Citizens to Elect Steve Demitro	\$180.00
21189	Kuspa for Mayor	\$350.00
12260	Citizens for Danny Solis	\$300.00

Civil Penalties Paid for this Period: \$35,468.79

Escheatment Payments

19263	Citizens for Alderman Reilly	\$3,500.00
124	Citizens for John Cullerton	\$10,000.00

Total amount collected for this period: \$48,968.79

Year to Date Totals:

12/30/11 to 2/1/12: \$69,380.71
 2/2/2012 to 3/7/2012: 12,444.50
 3/8/12 to 4/9/12: \$11,077.00
 4/10/12 to 5/8/12: \$52,537.67
 5/18/12 to 6/7/2012: \$5,743
 6/8/12 to 7/2/12: \$48,968.79

Payment Plans:

945 Cook County Democratic Women
 14153 Citizens for Lyle
 20809 Friends for Proco Joe Moreno

BEFORE THE STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

Robert I. Sherman	{	
Complainant	{	
VS	{	11-CD-019
Indian Trails Public	{	11-CD-023
Library District, et al	{	(Consolidated)
Respondents	{	

RECOMMENDATION OF THE HEARING OFFICER TO INDIAN TRAILS PUBLIC LIBRARY DISTRICT'S
MOTION FOR DIRECT APPEAL TO THE STATE BOARD OF ELECTIONS OF THE SECTION 25.1 FINDING
OF JURISDICTION

The following pleadings have been filed in regard to the Respondents Motion for Direct Appeal to the State Board of Elections of the Section 25.1 Finding of Jurisdiction:

1. Indian Trails Public Library District's Motion for Direct Appeal to the State Board of Elections of the Section 25.1 Finding of Jurisdiction.
2. Complainant's Response to the Public Library District's Motion for Direct Appeal of Hearing Officer's Ruling.
3. Indian Trail Public Library District's Reply in Support of its Motion for Direct Appeal to the State Board of Elections of the Section 25.1 Finding of Jurisdiction.

Among the arguments raised by the Respondent are the following:

- A. The State Board of Elections does not have jurisdiction over Section 25.1 Election interference claims.
- B. The fact that Section 25.1 appears in Article 9 does not mean that the State Board can hear allegations involving Section 25.1.

As pointed out in the Respondent's pending motion, the issue of whether or not the State Board of Elections has jurisdiction to hear a Section 25.1 Election Interference Prohibition Act Claim has been disputed throughout these proceedings. The Hearing Officer in his June 1, 2012 email issued a Recommendation that the Board does possess jurisdiction. Thereafter, the Respondents proceeded to file this pending motion.

Prior to becoming a part of Article 9, the Election Interference Prohibition Act was an independent section in Chapter 46 of the Election Code. (46 IRS 101-104). The Elections Interference Prohibition Act was removed from that Section by the General Assembly in 1992 and is currently contained in Article 9, Disclosure and Regulation of Campaign Contributions, at Section 25.1 (10 ILCS 5/9-25.1). Prior to being switched to Article 9 of the Campaign Financing Act,

staff would conduct an investigation of alleged violations. If the allegations were determined to be meritorious, the findings were forwarded to the appropriate State's Attorney.

The Election Interference Prohibition Act is no longer a separate provision with the Election Code. It is now a part of the Article 9 which is commonly referred to as the Campaign Financing Act. A logical assumption is that the hearing procedures of Article 9 apply to all alleged violations. Thus, it must be concluded the State Board of Elections has jurisdiction to conduct hearings of complaints alleging violations of the Election Interference Prohibition Act.

The State Board of Elections lacks jurisdiction to impose the criminal penalty which applies to violations of Section 25.1. Nevertheless, as the provisions of Section 25.1 are set forth article 9, the State Board of Elections does possess the authority to conduct a public hearing. Whether or not criminal violations are brought would be up the discretion of the Attorney General or the appropriate State's Attorney.

RECOMMENDATION

It is the Recommendation of the Hearing Officer that INDIAN TRAILS PUBLIC LIBRARY DISTRICT'S MOTION FOR DIRECT APPEAL TO THE STATE BOARD OF ELECTIONS OF THE SECTION 25.1 FINDING OF JURISDICTION be denied for the reasons set forth above and the matter proceed to the Public Hearing which is scheduled for July 26, 2012 and if necessary, July 27, 2012.

Respectfully Submitted,

James Tenuto
Hearing Examiner

Date: June 28, 2012

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

ROBERT I. SHERMAN,)	
)	
Complainant,)	
)	
v.)	Case Nos. 11-CD-019 and 023
)	Consolidated
INDIAN TRAILS PUBLIC LIBRARY)	
DISTRICT (Com. #23552), et al.,)	
)	
Respondents.)	

**INDIAN TRAILS PUBLIC LIBRARY DISTRICT'S MOTION FOR DIRECT APPEAL
TO THE STATE BOARD OF ELECTIONS OF THE SECTION 25.1 FINDING OF
JURISDICTION**

NOW COMES the Respondent, Indian Trial Public Library District (the "Library"), by and through its attorneys Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., and for its Motion for Direct Appeal to the State Board of Election of the Section 25.1 Finding of Jurisdiction, the Library states as follows:

INTRODUCTION AND BACKGROUND

The Library filed a Motion for Summary Judgment as to the consolidated cases 11-CD-019 and 11-CD-023, a copy of which is attached hereto and incorporated herein as Exhibit 1. The Motion for Summary Judgment was filed by the Library because there is no genuine issue of material fact and the dispute should be decided as a matter of law. In the Motion, and elsewhere, the Library has repeatedly pointed out that there are no material facts at issue in this matter and that the claims otherwise by Sherman are just an attempt to establish a platform that will allow Sherman to offer his own irrelevant and prejudicial testimony and the irrelevant and prejudicial testimony of his "expert." The Library has even provided proposed stipulations as a way to show that only objective legal issues are at play here. A copy of the proposed stipulations is attached hereto and incorporated herein as Exhibit 2. In response to these proposed stipulations,

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

ROBERT I. SHERMAN,)	
)	
Complainant,)	
)	
v.)	Case Nos. 11-CD-019 and 023
)	Consolidated
INDIAN TRAILS PUBLIC LIBRARY)	
DISTRICT (Com. #23552), et al.,)	
)	
Respondents.)	

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TO THE STATE BOARD OF ELECTIONS OF THE SECTION 25.1 FINDING OF
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Sherman has insisted on responding by including matters of law and legal interpretations that then make the stipulations objectionable to the Library and allow Sherman to represent that the parties cannot reach an agreed statement of facts.

Sherman has even refused to recognize that the U.S. Supreme Court has clearly held that fact hearings of the type sought by Sherman are unconstitutional. *Federal Election Commission v. Wisconsin Right to Life, Inc.*, 551 U.S. 449, 467-68 (2007) (the proper standard...must be objective, focusing on the communication's substance rather than on amorphous considerations of intent and effect, and if you look beyond the face of the communication it will typically lead to a burdensome, expert-driven inquiry, with an indeterminate result, which is to be avoided).

From the outset, the Library has pointed out that, for allegations concerning Section 25.1 of the Campaign Finance Act, 10 ILCS 5/9-25.1 ("Section 25.1"), the State Board of Elections ("State Board") does not take jurisdiction over such claims. Instead, the State Board leaves prosecution of violations of this Section to the appropriate criminal authorities. This position was advanced as the first argument in the Library's Motion for Summary Judgment discussed above, and the issue is of such great importance that the Library now directly petitions the State Board for review of the Hearing Officer's June 1, 2012 recommendation. A copy of the June 1, 2012 Recommendation is attached hereto and incorporated herein as Exhibit 3. The Library understands the position of the State Board to be that, given the criminal nature of Section 25.1 and the prejudicial effect that a State Board ruling on the matter could have, allegations that the Section has been violated are for the applicable State's Attorney or Attorney General to address. The Library agrees that allegations that Section 25.1 has been violated go beyond the campaign disclosure and reporting issues that are the expertise of the State Board, and get into the

appropriateness of the actions of political subdivisions and their elected officials, issues that have traditionally been reserved for the general jurisdiction of the circuit courts of this State.

Despite the Library's protestations, on June 1, 2012, the Hearing Officer for this matter entered an order recommending as follows:

"The State Board of Elections has jurisdiction of Section 25.1 Election Interference Act Claims. The basis for this conclusion is that Article 9 of the Election Code sets forth a hearing procedure after complaints are filed. Whether or not a criminal violation has occurred would not be determined by the State Board of Elections."

For the reasons detailed more fully herein, Section 25.1 of Article 9 provides criminal penalties and its enforcement is therefore beyond the jurisdiction of the State Board. Further, the mere existence of Section 25.1 in Article 9 and the fact that Article 9 sets forth a hearing procedure after complaints are filed does not vest the State Board with jurisdiction over Section 25.1 claims.

ARGUMENT

COMPLAINANT'S SECTION 25.1 ELECTION INTERFERENCE ACT CLAIMS.

A. The State Board of Elections does not have Jurisdiction over Section 25.1 Election Interference Claims.

Section 25-1 of the Election Interference Act provides criminal penalties for its violation and its enforcement is beyond the jurisdiction of the State Board. Section 9-25.1 of the Election Interference Act provides as follows:

The first time any person violates any provision of this Section, that person shall be guilty of a Class B misdemeanor. Upon the second or any subsequent violation of any provision of this Section, the person violating any provision of this Section shall be guilty of a Class A misdemeanor.

10 ILCS 5/9-25.1 (2012).

Chairman McGuffage indicated at the October 18, 2011 State Board meeting that the State Board should not make a determination on Section 9-25.1 allegations, and that making a record concerning Section 9-25.1 could prejudice the Library in a criminal case.

CHAIRMAN MCGUFFAGE: We cannot make a determination on that provision.....My position has always been that if someone thinks there's a violation, report it to law enforcement. They don't have to come to use first. We can't make a determination as to whether there's criminal liability, Steve....I don't think we can hear any testimony at a public hearing involving a criminal provision. That's what we've ruled all along in these matters. I don't see any reason to change it.

See October 18, 2011 transcript, page 118, line 24; page 119, line 1 and lines 10-14; and page 120, lines 4-6. A copy of the October 18, 2011 transcript is attached hereto and incorporated herein as Exhibit 4. As Chairman McGuffage stated, it has been the practice of the State Board not to hear criminal provision and there is no reason for the State Board to change this practice. See Exhibit 4, page 120, lines 22-24 and page 121, lines 1-3.

A D-4 Complaint is not the proper route for resolution of a Section 9-25.1 claim, and the discussion on the record at the October 18, 2011 State Board meeting indicted broad agreement that Section 25.1 is out of place and does not fit within the rest of the Article 9 scheme. See page 119. Sherman is improperly attempting a back-door criminal prosecution through these proceedings. Sherman should not be allowed to proceed in this manner.

In previous responses to the position of the Library and State Board on the Section 25.1 issue, Sherman has just provided a historical background concerning use of public funds for public purposes, but has given no real justification as to why or how the State Board can enforce Section 25.1 except to argue that Section 25.1 criminal violations also constitute a civil violation of Section 8.10 of Article 9. This argument is not relevant here and is inapplicable. After a criminal finding of guilt in the proper jurisdiction per Section 25.1, a party could claim a Section

8.10 violation, but until that time the State Board can do nothing with Section 25.1. Unless and until there is a criminal finding of guilt in the proper jurisdiction, Section 25.1 is not the province of the State Board.

B. The Existence of Hearing Procedures in Article 9 does not mean that the State Board can hear Section 25.1 Allegations.

The discussion on the record at the October 18, 2011 State Board meeting indicted broad agreement that Section 25.1 is out of place and does not fit within the rest of the Article 9 scheme. *See* page 119. Nevertheless, by his June 1, 2012 order, the Hearing Officer has recommended a finding of State Board jurisdiction over Section 25.1 merely because of the Section's existence within Article 9 and the fact that there are general hearing procedures outlined in Article 9. The mere placement of Section 25.1 in Article 9 and the existence of a general hearing procedure applicable to all Article 9 violations does not mean that Section 25.1 specifically can be adjudicated by the State Board.

Instead of unquestioningly proceeding to enforce Section 25.1 merely because it is located in Article 9, the State Board should consider that the Library is advancing the only interpretation of Section 25.1 that is reasonable, renders no section of Article 9 superfluous and honors the intent of the legislature. The fundamental rule of statutory construction is to ascertain and give effect to the legislature's intent and the best indication of legislative intent is the statutory language itself, given its plain and ordinary meaning. *Nowak v. City of Country Club Hills*, 2011 IL 111838 at ¶ 11, 958 N.E.2d 1021, 1023 (2011). Courts may also consider the consequences that would result from construing a statute one way or the other and in doing so must presume that the legislature did not intend absurd, inconvenient, or unjust consequences. *Solon v. Midwest Medical Records Ass'n, Inc.*, 236 Ill. 2d 433, 925 N.E.2d 1113, 1118-19 (2010).

The only construction of Article 9 and Section 25.1 that does justice to the legislative intent requires the State Board to refrain from enforcing Section 25.1 lest absurd and unjust consequences occur. It makes no sense for the State Board, as an administrative agency, to strain to enforce a law that it has not been given a clear mandate to enforce. This is especially so when the law clearly provides in specific terms how it is to be enforced – by the appropriate State’s Attorney or the Attorney General. The hearing procedures in Article 9 do not state that they are specifically applicable to Section 25.1. Section 25.1 does not need the rest of Article 9 to make it viable. It clearly stands on its own because it can be enforced by the State’s Attorney or Attorney General. Further, no section of Article 9 is rendered meaningless by a construction that allows Section 25.1 to be enforced in the courts by the State’s Attorney or the Attorney General in the same way as other criminal matters. As the State Board has previously acknowledged, Section 25.1 does not seem to fit within Article 9. Perhaps it seems to not fit because Sherman is attempting to have the State Board enforce the law in an unnatural and awkward way where jurisdiction is not conferred. If the legislature had intended for the State Board to take a role in enforcing Section 25.1 it could have done so clearly and specifically and without the ambiguity that everyone acknowledges now exists.


CONCLUSION

The Hearing Officer’s June 1, 2012 recommendation has put the Library in the unfair position of having to expend its resources to defend itself against a criminal provision that is being enforced by an administrative agency without the jurisdiction to do so. It is a position not envisioned by the legislature, and a position that the Library should not have to be in. The mere location of Section 25.1 in Article 9 is not a good reason to enforce the Section where the language of the Section itself indicates that the State Board does not have jurisdiction.

WHEREFORE, the Respondent, Indian Trails Public Library District, respectfully prays that the State Board of Elections grant summary judgment in its favor on the Section 25.1 issue, and for such other and further relief as is appropriate and just.

Respectfully Submitted,

INDIAN TRAILS PUBLIC LIBRARY DISTRICT

A handwritten signature in cursive script, appearing to read "Ken Kory".

By: One of its Attorneys

KENNETH M. FLOREY
M. NEAL SMITH
ROBBINS, SCHWARTZ, NICHOLAS,
LIFTON & TAYLOR, LTD.
55 W. MONROE STREET
SUITE 800
CHICAGO, IL 60603

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

Robert I. Sherman

Complainant,

VS.

Case #: 11-CD-019 and 023

Consolidated

Indian Trails Public Library District (Com. #23552)
et al.

Respondents.

Complainant's Response To The Public Library District's Motion For Direct Appeal of Hearing Officer's Ruling

Introduction

The Respondent Library District Committee has repeatedly moved for Dismissal or Summary Judgment in the above captioned cases and the Board has repeatedly denied the dismissal or summary judgment motions and ordered the cases for hearing. In each of these filings, Respondent political committee has claimed, among other things, that a part of the Complainant's allegations include allegations that the funds that the Complainant alleges were not reported (or timely reported) were public funds and therefore a county state's attorney or the Illinois Attorney General could prosecute the officers and/or employees of the committee for the crime of violating the Election Interference Act. 10 ILCS 5/9-25.1. Because this Board has no authority to prosecute crimes, Respondents reason that this case, or portions of it, should be dismissed. This Board has repeatedly rejected this argument and the Respondent Committee presents it yet again and seeks to delay the public hearing that the Board has ordered. This Hearing Officer and the Board's staff have no obligation to again delay this case to again present to the Board an issue on which the Board has already ruled in this same case. These 15 months of repeated delays have had the effect of denying the Complainant both the remedies to which he is entitled and the right to appeal the effective denial of his remedies.

The Potential For A Criminal Prosecution

It is true that the officers and employees of this Respondent Committee could be prosecuted for a misdemeanor violation of the Election Interference Act. If they had criminal intent and were found guilty beyond a reasonable doubt of spending public funds to promote passage of the April 5, 2011 tax increase referendum, they could be convicted of a Class B. misdemeanor. Indeed, on basically the same facts, they could be convicted of Class 3. felony Official Misconduct and, on basically the same facts, felony or misdemeanor Theft, Fraud on a Government Entity, *etc.*

In virtually every Campaign Finance Act complaint case heard by this Board, there is the potential that the facts of the case before the Board could additionally give rise to a criminal prosecution. This Board routinely hears cases in which it is alleged that a person or political committee failed to file, failed to timely file, or failed to file complete and accurate reports. In a case in which such acts or omissions are willful and done with criminal intent, a county State's Attorney or the Attorney General could prosecute under §9-26 of the Election Code which reads as follows:

Sec. 9-26. Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a business offense subject to a fine of up to \$5,000.

Willful filing of a false complaint under this Article shall constitute a Class B misdemeanor.

A prosecution for any offense designated by this Article shall be commenced no later than 18 months after the commission of the offense.

The appropriate State's Attorney or the Attorney General shall bring such actions in the name of the people of the State of Illinois.

The fact that a criminal prosecution is possible under the facts of virtually every Campaign Finance Act complaint case heard by this Board never prevents this Board from hearing such cases.

The Board must not lose sight of the fact that the Complainant has chosen not to criminally prosecute the officers and employees of the Committee but, instead, has chosen to proceed civilly primarily alleging concealment and failure to report the Public Library District's expenditures of funds (from whatever source) to campaign and promote passage of the April 5, 2011 tax increase referendum. The Complainant is not aware of any activity or interest in these matters by prosecutorial authorities.

What These Consolidated Cases Are About

The Respondent Library District Committee pretends that this entire case is quibble about the provision of "factual information" paid by public funds about the referendum and whether the Respondent's provision of information was sufficiently even-handed. Only a part of the case concerns the production and distribution of advocacy materials with public funds.

Additionally and just as importantly, the Complainant will prove:

1. That the Library District contracted with a political consulting firm by the name of Holy Cow! Consulting early in 2010 to prepare a complex and detailed political strategy for the tax increase referendum campaign. Acting pursuant to the political consultant's instructions, the Library District surveyed a sample population of the registered voters of the district to determine, among other things:
 - a. How survey participants would vote if the election were held at the time of the survey.
 - b. What segments of the Library District electorate were likely to vote "yes" on the tax increase referendum and what services and facilities most pleased the favorably inclined voters.
 - c. What segments of the Library District electorate were undecided on the tax increase referendum and what provision of services and facilities or increases in such services and facilities were most likely to convert undecided voters to "yes" voters.
 - d. How to structure a "Get Out The Vote" campaign targeted to insure that the voters most favorable to the referendum would go to vote.
 - e. How to hold "focus groups" to further refine political literature and other messaging.
2. That, pursuant to the Holy Cow! recommendation, the Library District contracted with a political consulting firm by the name of Donna Fletcher Consulting later in 2010 to convene focus groups to further refine and prepare the favorable vote campaign for the tax increase referendum.
3. That the publicly-paid professional staff employed by the Library District utilized the reports and recommendations of the two consulting firms to create, publish and distribute to registered voters (and only to registered voters) the brochures, postcards, emails and Internet Web pages which were
 - a. attached as exhibits to the original D-4 complaint in docket #019,
 - b. which were also introduced as evidence in the #019 closed preliminary hearing and
 - c. which are attached to (and incorporated by reference therein) to the Respondent Library District's Motion For Summary Judgment.
4. That the expenditures made to the two consulting firms, to the Library District staff and to others for the publication, mailing and other distribution of those brochures, postcards, emails and Internet Web pages were paid for initially and almost exclusively from public funds.

5. That the expenditures made to the two consulting firms, to the Library District staff and to others for the publication, mailing and other distribution of those brochures, postcards, emails and Internet Web pages were not reported to the State Board of Elections prior to the April 5, 2011 tax increase referendum election, subsequent to the election these expenditures were not timely and fully reported, and some of the expenditures have never been reported.

In sum, the Complainant's evidence will prove that this case is about a government entity, unrestrained by ethics or the law, devising and implementing an illegal, dishonest and secret political campaign to trick voters into funding its future operations by approval of an extraordinary and large property tax increase. In the course of that conduct, the Respondent Committee repeatedly concealed its activities and, in doing so, violated the Illinois Campaign Finance Act in numerous respects. Mr. Sherman is entitled to the Board's finding of these violations and appropriate penalties should be ordered.

F.E.C. v. Wisconsin Right To Life

The Complainant will offer evidence in support of his allegations that the Respondent Committee expended in excess of \$3000, which it wrongfully failed to report, on political advice from Holy Cow! Consulting on how to persuade the Library District electorate to pass the tax increase referendum. Some of that evidence will also show how the Respondent Library District followed that advice in constructing the print and Internet publications also complained of in this case. The Respondent lifts Supreme Court Chief Justice Roberts' words from *F.E.C v. Wisconsin Right To Life* out of context to support the absurd proposition that it would be "unconstitutional" for this Board to consider that evidence when determining whether the Respondent's publications were political advocacy.

F.E.C v. Wisconsin Right To Life [551 U.S. 449 (2007)] determined the constitutionality of portions of the Federal Bipartisan Campaign Reform Act of 2002 ("BCRA" or "McCain-Feingold") which provided restrictions on broadcasting political messages within 30 or 60 days before a federal election by organizations not required by BCRA to disclose their funders. Thus, *Wisconsin Right To Life* decided different questions than those posed in this case, under a different statutory scheme and with markedly differing evidence. Here, the Complainant has evidence from the Respondent's own records showing that the Respondent followed the advice it was given for the explicitly intended purpose of passage of the tax increase referendum.

Conclusion

For the reasons detailed above, the Public Library District's Motion For Direct Appeal of Hearing Officer's Ruling should be denied and the case ordered to proceed, without further delay, to the evidentiary hearing that the Board has repeatedly ordered. The party witnesses Looft, Salganik, Beal and Sabes should be subpoenaed. In addition, the Complainant should be allowed to testify as to why he filed the complaints and his expert witness should be allowed to present his factual findings.

Respectfully submitted,



Richard K. Means

June 13, 2012

Richard K. Means

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BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

ROBERT I. SHERMAN,)	
)	
Complainant,)	
)	
v.)	Case Nos. 11-CD-019 and 023
)	
INDIAN TRAILS PUBLIC LIBRARY)	Consolidated
DISTRICT (Com. #23552), et al.,)	
)	
Respondents.)	

**INDIAN TRAILS PUBLIC LIBRARY DISTRICT’S REPLY IN SUPPORT OF ITS
MOTION FOR DIRECT APPEAL TO THE STATE BOARD OF ELECTIONS OF THE
SECTION 25.1 FINDING OF JURISDICTION**

NOW COMES the Respondent, Indian Trial Public Library District (the “Library”), by and through its attorneys Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., and for its Reply in Support of Motion for Direct Appeal to the State Board of Election of the Section 25.1 Finding of Jurisdiction, the Library states as follows:

ARGUMENT

I. THE STATE BOARD DOES NOT HAVE JURISDICTION OVER SECTION 25.1 CLAIMS.

In his Response, Robert Sherman (“Sherman”) makes the obvious point that in many Campaign Finance Act complaints there is the potential for facts to be elicited that could give rise to a criminal prosecution. Indeed, this is the case in plenty of other civil cases that are not related to campaign finance. But the potential for the elicitation of facts in a civil case that could give rise to criminal prosecution is much different from allowing a complainant to directly prosecute what is on its face a criminal law statute. If a Section 25.1 claim is to be prosecuted at all, it must be prosecuted by the Illinois Attorney General or the appropriate State’s Attorney.

Sherman attempts a back door criminal prosecution within the framework of the State Board's administrative proceedings, where the rules of evidence as applied in the circuit courts of this State are not strictly adhered to and where evidence is liberally allowed into the record. The risk of prejudice and harassment to the Library is too great to allow Sherman, unrestrained by the rules of evidence, to have carte blanche freedom to treat the Library witnesses however he likes and to create a spectacle that will have, as its main purpose, the taking advantage of liberal rules of evidence to make the Library look criminally liable for actions that are not only legal, but publically beneficial. As Sherman himself stated in his Response, "the Complainant's evidence will prove that this case is about a government entity, unrestrained by ethics or the law, devising and implementing an illegal, dishonest and secret political campaign to trick voters into funding its future operations." These slanderous and grandiose statements by Sherman show his true aim: to prove-up a criminal case that the Attorney General and the State's Attorney have refused to entertain.

Sherman's statements also help explain why the parties have not been able to agree to stipulations. First in a response to proposed stipulations and now in his Response section in his brief called "What These Consolidated Cases Are About," Sherman has insisted on including statements of law and legal interpretations of facts that make proposed stipulations objectionable to the Library and allow Sherman to represent that the parties cannot reach an agreed statement of facts. In reality, the parties are not able to agree to the legal effect of undisputed facts, but Sherman keeps claiming that this means a fact hearing must take place. Sherman is thus able to maintain his position that a fact hearing is necessary, even though only issues of law exist. This is a critical strategy for Sherman, because as long as a fact hearing is scheduled, there is the

possibility, at least in Sherman's mind, that by use of the liberal evidence standard he will be able to make the Library look criminally liable.

Chairman McGuffage indicated at the October 18, 2011 State Board meeting that the State Board should not make a determination on Section 9-25.1 allegations, and that making a record concerning Section 9-25.1 could prejudice the Library in a criminal case.

CHAIRMAN MCGUFFAGE: We cannot make a determination on that provision.....My position has always been that if someone thinks there's a violation, report it to law enforcement. They don't have to come to use first. We can't make a determination as to whether there's criminal liability, Steve....I don't think we can hear any testimony at a public hearing involving a criminal provision. That's what we've ruled all along in these matters. I don't see any reason to change it.

See October 18, 2011 transcript, page 118, line 24; page 119, line 1 and lines 10-14; and page 120, lines 4-6. As Chairman McGuffage stated, it has been the practice of the State Board not to hear criminal provision and there is no reason for the State Board to change this practice. *Id.* at page 120, lines 22-24 and page 121, lines 1-3. The discussion on the record at the October 18, 2011 State Board meeting indicted broad agreement that Section 25.1 is out of place and does not fit within the rest of the Article 9 scheme. *Id.* at page 119.

The State Board's initial instinct was and remains correct. Let criminal statutes be the realm of the Attorney General and the State's Attorney, not the State Board. The Hearing Officer was incorrect to hold that the State Board has jurisdiction over Section 25.1 claims. The decision of the Hearing Officer in this regard should be reversed.

II. FEDERAL ELECTION COMMISSION V. WISCONSIN RIGHT TO LIFE

The Library does not lift the language of the United States Supreme Court out of context. The case of *Federal Election Commission v. Wisconsin Right to Life, Inc.*, 551 U.S. 449, 467-68 (2007) ("*WRTL*") and other Federal Court cases clearly hold that examination of alleged

advocacy communications must be done objectively, as matter of law. The case means precisely that the subjective fact based approach advocated by Sherman on the Section 25.1 issue and the electioneering communications issue is unconstitutional. In order to make a determination on the issue of whether something is fact or advocacy, the alleged advocacy communication must be looked at on its face and outside facts and considerations must not come into play. Sherman's conclusory claims that the Library has taken the language of *WRTL* out of context are not supported in any way, and Sherman's claim that the case involves a different statutory scheme fully ignores that the scheme of Illinois was modeled after federal law in an attempt to ensure its constitutionality. Sherman mentions noting about this.

In *WRTL*, the Supreme Court considered language in a statute that was substantially similar to the Illinois definition of "electioneering communication" and held that the "susceptible to no reasonable interpretation" test must be objective and cannot look to outside context, factors or experts. **"To safeguard freedom of speech on public issues, the proper standard...must be objective, focusing on the communication's substance rather than on amorphous considerations of intent and effect."** *WRTL* at 451. Thus, you cannot look to the intent of the speakers, or the effect of the communications on listeners. *Id.* at 469. The Supreme Court noted that if you look beyond the face of the communication it would typically lead "to a burdensome, expert-driven inquiry, with an indeterminate result. Litigation on such a standard may or may not accurately predict electoral effects, but it will unquestionably chill a substantial amount of political speech." *Id.* The court is basically saying that a fact based analysis using witnesses and experts, as Sherman is attempting here, is unconstitutional. The Hearing Officer and the State Board can only look at the face of the communication and cannot look to contextual or outside factors, or expert interpretation.

In *North Carolina Right to Life, Inc. v. Leake*, 525 F.3d (4th Cir. 2008), the Fourth Circuit followed *WRTL*'s holding when it considered, and then struck down, a North Carolina statute that codified the "contextual factors." In other words, the North Carolina statute itself was unconstitutional on its face because the statute made the question of whether a communication is advocacy a question of fact by setting out a statutory factor based approach. The court indicated that the question of whether a communication is advocacy must be able to be resolved in an objective way by looking at the face of the communication. The court stated, an "*ad hoc*, totality of the circumstances-based approach provides neither fair warning to speakers that their speech will be regulated nor sufficient direction to regulators." *Id.* at 283.

Likewise, the State of Utah, in defending Utah's campaign disclosure law, argued that the campaign ads in question needed to be taken as a whole and considered in context with the court considering outside facts. The U.S. District Court vigorously disagreed. The Court stated that the State's proposed approach would be unconstitutional and that a context based approach "flies in the face of the Supreme Court's mandate for clarity..." and would provide "no meaningful boundaries of regulable versus non-regulable speech, and will lead to further disputes and litigation, a result the Supreme Court wanted to avoid." *National Right to Work Legal Defense and Education Foundation, Inc. v. Herbert*, 581 F.Supp.2d 1132, 1150 (D. Utah 2008).

These cases clearly show what the Library has been arguing all along – that the issues here must be resolved in an objective way by looking at the face of the communications themselves and making a determination as a matter of law. A fact based analysis is unconstitutional and is not acceptable.

CONCLUSION

The Hearing Officer's June 1, 2012 recommendation has put the Library in the unfair position of having to expend its resources to defend itself against a criminal provision that is being enforced by an administrative agency without the jurisdiction to do so. It is a position not envisioned by the legislature, and a position that the Library should not have to be in. The mere location of Section 25.1 in Article 9 is not a good reason to enforce the Section where the language of the Section itself indicates that the State Board does not have jurisdiction.

WHEREFORE, the Respondent, Indian Trails Public Library District , respectfully prays that the State Board grant summary judgment in its favor on the Section 25.1 issue, and for such other and further relief as is appropriate and just.

Respectfully Submitted,

INDIAN TRAILS PUBLIC LIBRARY DISTRICT



By: One of its Attorneys

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State Board of Elections



From the desk of....Jane Gasperin, Director of Election Information

Phone: 217-782-1555

Email: jgasperin@elections.il.gov

To: Rupert T. Borgsmiller, Executive Director
Re: Independent & New Political Party Filing
Date: July 2, 2012

Listed below is the breakdown for the June 18 – 25, 2012 filing period, 41 candidates filed. Also included is the activity for petition viewing and copy request.

President of the United States

Party	Number Filed
Socialist Party USA	1 – President and Vice President
Libertarian	1 – President and Vice President
Together Enhancing America	1 – President Only
Constitution	1 – President and Vice President
Green	1 – President and Vice President
Independent	1 – President and Vice President
Independent*	1 – President Only

*Candidate withdrew their candidacy on 6/28/12

United States Congress

District	Party	Number Filed
2 nd	Independent	1
5 th	Green	1
7 th	Independent	1
9 th	Independent	1
12 th	Constitution	1
12 th	Green	1
13 th	Independent	1
15 th	Constitution	1
17 th	Independent	1

Illinois State Senate

District	Party	Number Filed
27 th	Constitution	1
33 rd	Libertarian	1
39 th	Independent	1
41 st	Independent	1
48 th	Constitution	1
50 th	Independent	1

Illinois House
Of
Representatives

District	Party	Number Filed
10 th	10 th District Unity	1
10 th	Independent	1
33 rd	Independent	1
43 rd	Constitution	1
52 nd	Independent	1
74 th	Independent	1
92 nd	Libertarian	1
95 th	Constitution	1
96 th	Constitution	1
96 th	Jobs	1
108 th	Constitution	1
117 th	Constitution	1
118 th	Constitution	1

4th Judicial
Circuit
Shelby County
Kiley Vacancy

Party	Number Filed
Better Option	1

Viewing and Copy Requests
for the period of 6/25/12 through 6/29/12

Location	CD Copy	Printed Copy	View Original Copy	Credit Card
Springfield	25	4	4	1
Chicago	27	0	N/A	9

Judges Schools GE 2012

Date	Jurisdiction	No. of Schools	Attendance	Zone
Tuesday, September 11, 2012	Woodford	2	0	Three
Wednesday, September 12, 201	Christian	2	0	Three
Thursday, September 13, 2012	Christian	2	0	Three
Tuesday, September 18, 2012	Clay	3	0	One
Wednesday, September 19, 201	Edwards	2	0	One
Thursday, September 20, 2012	Coles	3	0	Three
Thursday, September 20, 2012	Saline	2	0	One
Monday, September 24, 2012	Pulaski	2	0	One
Tuesday, September 25, 2012	Boone	3	0	Four
Tuesday, September 25, 2012	Massac	2	0	One
Wednesday, September 26, 201	Gallatin	2	0	One
Thursday, September 27, 2012	Montgomery	3	0	Two
Friday, September 28, 2012	Montgomery	2	0	Two
Monday, October 01, 2012	Clinton	2	0	One
Tuesday, October 02, 2012	Jackson	3	0	One
Wednesday, October 03, 2012	Jackson	3	0	One
Thursday, October 04, 2012	Hardin	1	0	One
Thursday, October 04, 2012	Pope	1	0	One
Tuesday, October 09, 2012	Jefferson	3	0	One
Tuesday, October 09, 2012	Wabash	2	0	One
Wednesday, October 10, 2012	Jefferson	3	0	One
Wednesday, October 10, 2012	Richland	3	0	One
Thursday, October 11, 2012	Lawrence	2	0	One
Thursday, October 11, 2012	Washington	2	0	One
Monday, October 15, 2012	Randolph	2	0	One
Tuesday, October 16, 2012	Monroe	4	0	One

Date	Jurisdiction	No. of Schools	Attendance Zone	
Tuesday, October 16, 2012	Morgan	3	0	Two
Wednesday, October 17, 2012	Galesburg	3	0	Three
Wednesday, October 17, 2012	Monroe	3	0	One
Wednesday, October 17, 2012	Morgan	1	0	Two
Wednesday, October 17, 2012	Scott	1	0	Two
Thursday, October 18, 2012	Fayette	2	0	One
Thursday, October 18, 2012	Marshall	2	0	Three
Thursday, October 18, 2012	Shelby	3	0	Three
Monday, October 22, 2012	Cumberland	2	0	Three
Monday, October 22, 2012	Marion	3	0	One
Tuesday, October 23, 2012	Effingham	3	0	One
Tuesday, October 23, 2012	Hamilton	2	0	One
Wednesday, October 24, 2012	Effingham	3	0	One
Wednesday, October 24, 2012	Franklin	2	0	One
Thursday, October 25, 2012	Franklin	1	0	One
Thursday, October 25, 2012	Moultrie	2	0	Three
Thursday, October 25, 2012	Union	2	0	One
Tuesday, October 30, 2012	Williamson	3	0	One

STATE BOARD OF ELECTIONS



From the desk of.... Kyle Thomas
Director of Voter Registration Services
Phone: 217-782-1590
Email: kthomas@elections.il.gov

To: Rupert T. Borgsmiller; Executive Director
Re: Alexander and Massac Purge Update
Date: June 28, 2012

As reported last month, Alexander County has done a remarkable job in performing their purge. All first and second notices were sent and the non-deliverables were returned to the jurisdiction. Francis Lee and her staff continue to update addresses from the information they have received back from the voters and the post office.

Massac County has received the non-deliverable ID cards and they have been working to get their R-26 Confirmation Notices produced and sent to us. They have approximately 1,950 notices to get out and they ran into problems with their existing card stock. John Taylor, the county clerk, has made a great effort at receiving new card stock and as of today, he printed the final cards and is on his way to drop them off with UPS in order to get them in our hands tomorrow. He has had several issues from blown breakers to constantly jamming printers, but he has not given up. If we receive them by tomorrow, we will be able to apply the postage and get them sent out on behalf of Massac County at a cost of approximately \$1,250.00.



Illinois State Board of Elections

Memorandum

From the desk of Becky Glazier

TO: Rupert Borgsmiller

RE: IVRS 2012 State Grant

DATE: July 2, 2012

The 2012 IVRS State grant was made available to the 110 election jurisdictions in early April 2012. Of the 110 jurisdictions, 107 applied for the grant. The original 2012 budget request for IVRS funding was reduced by one half and the Board requested and received a supplemental to allow us to fully fund the 107 jurisdiction requests for funding. The IVRS funding was provided in a lump sum appropriation.

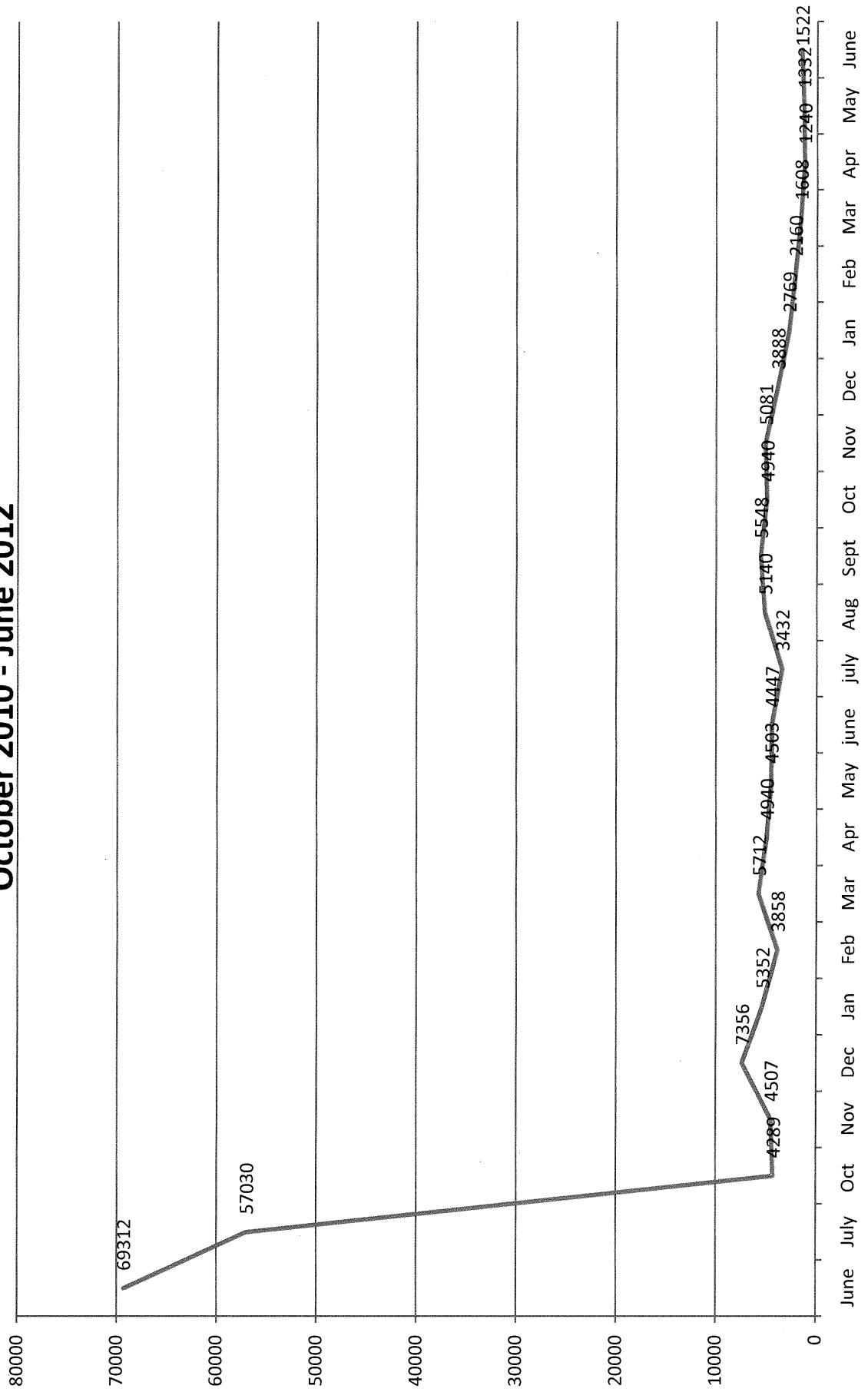
At this time it appears that we will lapse approximately \$15,600 of the original \$2,266,622 we made available to the jurisdictions for the support of their voter registration systems as well as local purging costs.

Jurisdiction	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest March Date
Adams County	5	4	7	7	8	5	8	7	8	6	4	16	20	19	22	5	1	6	6	5	6	9	8/3/2009
Alexander County	40	41	5	3	3	4	7	5	5	6	5	5	5	3	2	1	1	2	2	4	5	3	2/6/2009
Bond County	5	1	5	6	1	1	2	8	9	8	12	1	4	2	3	4	8	9	8	7	11	13	8/3/2009
Boone County	14	5	6	5	9	4	5	3	8	6	5	10	11	12	10	11	13	3	5	8	5	6	2/6/2009
Brown County	1	0	0	0	0	0	0	0	0	1	2	4	3	0	0	0	0	2	2	1	1	1	2/29/2012
Bureau County	3	4	0	2	6	0	0	5	0	0	4	2	3	0	1	5	2	2	1	4	2	1	5/11/2012
Calhoun County	0	1	0	1	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	n/a
Carroll County	2	0	3	1	0	0	5	1	1	1	0	1	2	0	0	0	0	1	2	3	4	3	2/29/2012
Cass County	19	0	0	5	8	0	3	1	1	0	0	2	0	0	1	0	4	2	2	3	3	2	2/29/2012
Champaign County	42	13	43	129	12	10	88	110	16	17	10	195	132	68	74	64	72	78	83	16	26	28	5/26/2009
Christian County	3	13	7	13	3	3	3	2	2	3	2	1	1	1	3	2	4	5	2	3	4	3	12/22/2010
Clark County	6	6	7	8	5	5	6	6	5	5	4	4	5	3	3	4	3	4	4	3	1	1	9/3/2010
Clay County	58	60	60	62	52	52	58	65	62	67	57	46	45	28	27	26	27	39	33	36	39	39	2/6/2009
Clinton County	30	28	16	20	15	16	17	16	21	11	3	6	14	7	8	1	3	10	6	9	15	14	1/23/2012
Coles County	29	31	18	16	14	14	14	5	4	4	2	6	6	7	5	5	2	3	0	2	2	3	4/9/2012
Cook County	2,277	1,271	1,446	2,357	1,770	1,393	1,988	1,773	1,679	1,717	1,270	1,943	2,085	1,874	1,879	1,391	793	535	329	168	106	191	2/6/2009
Crawford County	43	47	17	22	19	18	11	11	11	13	7	21	21	18	20	19	18	7	8	4	5	5	2/6/2009
Cumberland County	5	8	4	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	n/a
DeKalb County	35	31	22	29	20	19	23	4	4	4	4	12	14	8	12	9	7	24	4	5	2	10	5/11/2011
DeWitt County	2	4	2	4	3	2	2	2	2	6	3	2	5	3	4	6	2	9	2	3	7	4	2/6/2009
Douglas County	1	0	1	2	404	0	1	1	0	0	0	0	1	0	0	3	1	1	1	2	0	0	n/a
DuPage County	69	41	183	368	0	34	51	25	47	29	27	60	27	42	79	35	26	40	46	15	10	15	2/6/2009
Edgar County	1	1	0	0	0	0	0	0	0	0	1	0	0	0	1	2	2	2	2	3	3	5	3/28/2012
Edwards County	2	5	2	2	2	2	2	4	4	4	5	4	3	2	3	3	2	1	1	1	2	2	2/6/2009
Effingham County	6	2	0	1	1	1	0	0	0	1	0	2	1	0	1	1	1	4	3	1	3	2	3/28/2012
Fayette County	15	13	12	11	11	10	11	11	9	14	12	17	12	3	2	1	2	3	6	6	3	3	1/23/2012
Ford County	8	3	4	22	1	1	1	2	1	1	2	0	0	0	0	0	1	2	0	0	2	5	6/1/2012
Franklin County	73	82	65	70	60	59	62	60	58	60	61	60	59	43	12	10	0	3	5	4	5	7	2/29/2012
Fulton County	15	7	5	9	7	4	7	7	4	4	5	6	6	9	6	8	6	16	17	19	5	4	2/6/2009
Gallatin County	0	1	2	2	1	1	1	1	1	1	1	1	1	2	0	0	0	1	1	2	0	0	n/a
Greene County	1	1	4	4	3	4	1	1	4	3	7	1	3	2	2	0	0	0	0	2	2	2	4/9/2012
Grundy County	19	9	30	42	25	27	52	0	2	3	9	10	4	0	1	1	10	17	8	2	2	3	4/27/2012
Hamilton County	1	0	0	0	0	0	0	0	0	0	2	0	1	0	1	1	1	0	0	1	1	1	4/27/2012
Hancock County	2	1	3	3	1	1	1	2	2	1	0	2	2	2	5	3	1	0	0	0	0	0	n/a
Hardin County	0	0	1	1	0	0	0	1	2	1	0	0	0	0	0	0	1	0	1	2	0	3	6/13/2012
Henderson County	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	n/a
Henry County	22	17	17	20	17	17	19	17	13	5	6	5	7	5	3	2	0	8	7	8	9	10	6/22/2012
Iroquois County	24	28	7	15	5	5	1	2	1	2	1	5	8	3	1	1	3	1	1	2	1	2	2/6/2009
Jackson County	24	28	16	28	15	14	20	22	17	20	15	14	14	12	8	6	5	12	5	5	10	11	8/27/2009
Jasper County	7	10	5	3	4	0	0	0	1	2	2	4	4	5	5	6	5	1	1	1	2	1	6/1/2012
Jefferson County	1	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1	1	0	1	4	5	2	1/7/2011

Jurisdiction	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest March Date
Jersey County	6	8	11	9	13	12	15	15	17	17	17	19	20	20	20	22	22	22	22	23	27	26	2/6/2009
JoDaviness County	0	0	1	0	0	0	0	0	0	0	0	0	2	1	1	0	0	0	0	0	0	0	n/a
Johnson County	8	7	1	2	1	1	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	n/a
Kane County	37	51	44	92	32	19	35	17	21	16	5	27	35	34	42	28	33	24	26	17	8	10	3/25/2011
Kankakee County	45	55	67	93	9	5	21	8	12	18	7	90	79	64	21	7	16	10	8	12	17	16	2/6/2009
Kendall County	18	9	15	12	6	4	5	0	4	2	5	6	13	7	10	6	15	13	2	1	9	8	5/11/2012
Knox County	16	18	1	5	7	7	0	1	1	5	9	9	11	14	15	15	18	0	1	2	5	5	3/28/2012
Lake County	152	47	44	214	193	18	51	23	54	32	16	36	46	41	62	76	80	77	34	19	70	98	2/6/2009
LaSalle County	17	10	10	21	14	6	22	11	16	9	4	14	15	15	13	12	17	8	4	5	16	20	4/9/2012
Lawrence County	2	2	1	2	1	0	1	0	1	1	1	0	0	0	0	0	1	1	1	1	1	1	3/28/2012
Lee County	2	1	4	3	0	0	1	0	0	0	0	0	1	0	1	1	0	1	0	0	1	2	5/25/2012
Livingston County	9	6	8	12	1	1	3	5	4	1	1	3	2	4	2	1	2	2	3	0	4	1	5/18/2012
Logan County	4	2	6	5	4	5	12	5	5	4	4	4	3	2	6	6	7	1	1	2	4	2	3/18/2011
Macon County	8	21	7	25	8	4	8	3	3	1	2	45	19	15	18	26	33	51	12	6	23	12	10/1/2010
Macoupin County	5	11	4	12	5	6	8	3	1	0	1	5	7	5	5	3	1	2	2	2	0	0	n/a
Madison County	46	27	29	35	18	17	34	16	27	20	13	18	30	25	27	15	16	15	19	17	21	23	2/6/2009
Marion County	35	39	26	27	18	18	29	24	29	22	20	33	23	13	14	8	9	20	15	16	16	14	2/6/2009
Marshall County	1	1	1	0	3	2	0	1	2	6	0	2	3	0	5	2	2	0	1	3	2	0	n/a
Mason County	0	0	1	1	0	3	1	0	0	0	0	0	0	0	0	0	2	2	1	2	0	1	6/22/2012
Massac County	6	9	4	4	3	3	5	3	3	3	3	3	4	3	3	2	4	4	4	1	1	1	2/6/2009
McDonough County	6	6	9	9	6	2	5	2	2	2	3	5	4	4	4	4	2	0	0	1	1	0	n/a
McHenry County	50	92	35	125	50	4	7	34	69	74	4	10	22	18	59	74	30	7	22	35	57	73	10/8/2010
McLean County	3	3	6	44	7	4	20	21	9	13	5	32	18	10	10	9	10	32	31	32	48	51	2/6/2009
Menard County	5	8	2	3	3	2	2	1	1	1	1	1	1	3	3	4	0	4	3	4	2	4	2/6/2009
Mercer County	142	142	146	148	150	148	149	131	113	12	12	10	12	10	13	11	5	9	9	10	5	4	2/6/2009
Monroe County	5	6	8	6	2	2	2	2	6	7	0	2	0	2	0	0	4	4	3	3	4	6	2/29/2012
Montgomery County	2	2	4	13	4	3	9	10	13	7	10	1	0	0	0	0	2	1	1	1	1	1	3/5/2010
Morgan County	16	12	3	11	4	3	6	3	2	0	9	12	6	5	6	2	0	0	0	1	0	0	n/a
Moultrie County	1	0	3	0	0	0	0	0	0	1	0	0	0	0	0	1	1	2	2	0	0	0	n/a
Ogle County	0	1	2	7	10	0	1	0	1	1	3	3	5	2	3	2	4	1	1	1	1	0	n/a
Peoria County	4	0	4	19	1	2	2	2	4	0	3	5	4	9	12	8	5	6	3	9	9	3	2/6/2009
Perry County	6	5	1	4	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	4	0	0	n/a
Platt County	2	6	1	4	2	2	1	2	2	2	1	0	1	0	0	0	1	1	1	2	2	3	2/29/2012
Pike County	7	9	9	12	10	10	9	11	12	13	3	0	5	7	10	2	0	1	1	3	3	3	2/29/2012
Pope County	1	1	1	2	0	0	1	2	1	1	2	1	1	0	0	0	2	1	0	0	0	1	6/22/2012
Pulaski County	16	20	4	4	0	0	2	2	1	1	2	2	4	3	4	5	2	3	3	3	3	2	2/6/2009
Putnam County	1	2	0	2	0	0	2	0	0	0	0	0	0	1	0	0	1	1	0	0	1	0	n/a
Randolph County	3	3	2	3	0	0	3	0	1	3	0	0	2	2	3	3	6	8	7	10	7	6	1/23/2012
Richland County	15	20	11	13	7	6	5	6	5	6	6	7	7	6	5	5	5	5	6	4	3	2	2/6/2009
Rock Island County	151	154	163	178	180	188	124	182	177	75	70	63	66	62	59	33	32	47	44	50	52	54	2/6/2009
Saline County	1	1	1	2	4	4	2	1	7	8	8	2	5	3	3	1	0	0	2	6	0	2	6/13/2012

Jurisdiction	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest Match Date
Sangamon County	37	42	21	63	15	20	42	16	15	21	14	16	17	21	26	26	23	19	18	12	12	16	2/6/2009
Schuyler County	4	2	4	9	9	0	4	1	2	0	0	0	1	1	1	0	2	3	0	0	1	1	5/25/2012
Scott County	6	1	0	5	2	2	3	3	2	3	8	3	2	6	8	2	0	0	0	0	3	3	5/18/2012
Shelby County	1	3	1	2	0	0	0	1	1	1	0	3	1	0	1	0	1	0	3	1	2	3	2/29/2012
Stark County	0	1	0	0	0	0	0	0	1	2	2	2	0	0	0	0	0	0	0	0	0	0	n/a
St. Clair County	46	43	50	77	26	28	43	29	46	38	16	16	13	16	13	6	17	22	23	26	36	35	9/3/2010
Stephenson County	3	2	1	2	2	2	12	2	3	2	4	7	11	7	7	7	15	16	16	20	24	25	10/22/2010
Tazewell County	37	19	17	81	19	24	16	29	39	29	21	27	21	24	41	52	38	100	58	35	13	15	2/6/2009
Union County	30	33	24	33	17	17	28	29	24	22	20	25	23	23	22	15	8	11	13	12	13	13	2/6/2009
Vermilion County	6	3	3	3	3	3	4	3	4	3	2	3	7	9	8	10	13	5	6	8	5	13	8/27/2009
Wabash County	1	0	0	2	1	0	0	0	1	1	3	6	7	2	0	1	0	0	0	1	3	3	4/20/2012
Warren County	9	3	5	7	2	0	2	1	1	2	1	5	3	3	5	5	6	2	2	3	2	3	2/6/2009
Washington County	14	16	7	7	5	4	4	4	6	6	6	6	12	4	5	4	3	7	6	7	10	3	1/18/2011
Wayne County	30	35	34	31	28	28	31	33	34	37	34	16	15	1	0	0	3	8	8	10	12	11	1/23/2012
White County	0	0	1	3	2	2	1	3	3	3	4	5	4	2	1	1	0	2	2	3	5	5	2/29/2012
Whiteside County	9	8	7	11	7	6	9	5	6	2	2	2	3	3	1	1	1	2	2	3	3	4	9/3/2010
Will County	357	340	420	578	437	412	596	586	193	138	50	233	245	58	83	38	99	69	39	36	65	47	2/6/2009
Williamson County	94	102	57	65	43	42	45	43	45	46	45	48	49	32	15	15	2	5	6	5	13	15	2/6/2009
Winnebago County	14	46	35	39	25	8	10	7	10	5	4	6	5	13	20	5	18	6	6	14	7	10	2/6/2009
Woodford County	1	0	0	4	0	0	0	0	0	0	0	2	2	2	6	4	2	7	7	17	15	9	12/29/2011
City of Aurora	19	7	17	6	12	14	3	14	2	3	4	20	23	28	40	33	43	5	5	5	2	19	2/6/2009
City of Bloomington	9	14	11	15	5	6	6	4	5	8	4	4	7	6	8	11	5	15	16	15	21	22	2/6/2009
City of Chicago	2,056	899	1,037	1,755	1,382	985	1,714	1,346	1,383	1,626	1,349	1,703	2,020	2,017	2,028	1,557	960	541	383	267	285	348	2/6/2009
City of Danville	3	2	3	7	3	2	6	3	8	3	6	4	5	7	9	4	3	2	6	10	3	5	2/29/2012
City of East St. Louis	9	5	3	12	5	5	10	8	6	11	4	3	2	3	6	5	7	2	2	2	8	2	1/23/2012
City of Galesburg	8	7	2	6	10	4	3	3	3	3	5	6	7	9	6	8	7	3	2	2	2	2	9/3/2010
City of Peoria	13	2	4	39	2	2	23	35	20	9	14	19	22	30	34	35	40	101	61	27	25	8	2/6/2009
City of Rockford	16	20	18	17	8	4	19	5	10	10	10	12	15	20	24	12	34	17	17	25	9	13	2/6/2009
	6,596	4,289	4,507	7,356	5,352	3,858	5,712	4,940	4,503	4,447	3,432	5,140	5,548	4,940	5,081	3,888	2,769	2,160	1,608	1,240	1,332	1,522	

Statewide Duplicate Voter Registrations October 2010 - June 2012



<u>County</u>	Total Voters Registered as of 6/27/2012	Census Total Pop.	% Reg. Vs. Total Population	18 years and over #	% Reg. vs. 18 and Over as of 6/6/2012	% Reg. vs. 18 and Over as of 6/27/2012
ALEXANDER	5,430	8,238	65.91%	6,353	85.08%	85.47%
CLARK	12,525	16,335	76.68%	12,617	99.52%	99.27%
CLINTON	23,238	37,762	61.54%	29,180	79.44%	79.64%
HARDIN	3,176	4,320	73.52%	3,444	92.04%	92.22%
JASPER	6,702	9,698	69.11%	7,494	89.47%	89.43%
MASSAC	10,437	15,429	67.65%	11,911	105.71%	87.62%
MENARD	8,591	12,705	67.62%	9,704	88.28%	88.53%
MERCER	11,814	16,434	71.89%	12,714	92.81%	92.92%
OGLE	34,169	53,497	63.87%	40,253	84.67%	84.89%
PULASKI	5,486	6,161	89.04%	4,756	115.45%	115.35%
RICHLAND	12,302	16,233	75.78%	12,625	97.45%	97.44%
ROCK ISLAND	81,984	147,546	55.57%	114,359	71.69%	71.69%
STARK	4,058	5,994	67.70%	4,583	88.48%	88.54%
UNION	11,689	17,808	65.64%	13,980	83.48%	83.61%
City of East St. Louis	19,760	27,006	73.17%	19,098	103.69%	103.47%

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:

Rupert T. Borgsmiller, Executive Director

TO: Chairman McGuffage
Vice Chairman Smart
Members of the Board

SUBJECT: Springfield Office Dais

DATE: June 28, 2012

Since we have moved into our new facility we have conducted our monthly meeting without the benefit of a dais. Several members of the Board had inquired into whether or not we were going to have a dais. I asked Mike Roate check into this. I indicated that the dais should be portable because I do not want to lose the functionality of the Board Room. Mike has received an estimate from Correctional Industries and it would cost between \$6,500 and \$7,000. The Chairman asked that I put it on the agenda to determine the wishes of the Board, therefore:

“Does the Board want a portable dais built for the Board Room for the monthly and special meetings that are conducted in the Springfield office?”

Thank you.

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

AGENCY TOTALS MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$4,280,100.00	\$3,760,238.86	\$0.00	\$519,861.14	87.85%
STATE PAID RETIREMENT	\$171,300.00	\$147,764.95	\$0.00	\$23,535.05	86.26%
RETIREMENT (inc. supplemental)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SOCIAL SECURITY	\$327,600.00	\$278,428.63	\$0.00	\$49,171.37	84.99%
CONTRACTUAL SERVICE	\$1,302,300.00	\$782,355.29	\$48,738.12	\$471,206.59	60.07%
TRAVEL	\$129,300.00	\$63,604.31	\$0.00	\$65,695.69	49.19%
PRINTING	\$50,800.00	\$22,887.87	\$0.00	\$27,912.13	45.05%
COMMODITIES	\$39,500.00	\$36,582.95	\$0.00	\$2,917.05	92.62%
EQUIPMENT	\$158,200.00	\$88,185.95	\$159.60	\$69,854.45	55.74%
TELECOMMUNICATIONS	\$143,800.00	\$110,194.31	\$0.00	\$33,605.69	76.63%
OPERATION OF AUTO EQUIPMENT	\$4,900.00	\$3,195.64	\$0.00	\$1,704.36	65.22%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$426,859.80	\$37,967.27	\$85,172.93	77.61%
ELECTION CODE BOOKS	\$17,200.00	\$17,110.00	\$0.00	\$90.00	99.48%
IVRS LUMP SUM - OPERATIONS	\$328,500.00	\$307,602.15	\$0.00	\$20,897.85	93.64%
INTEREST PAYMENTS	\$10,200.00	\$9,922.13	\$0.00	\$277.87	0.00%
SUB-TOTAL (OPERATIONS)	\$7,513,700.00	\$6,054,932.84	\$86,864.99	\$1,371,902.17	80.59%
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$799,500.00	\$0.00	\$6,500.00	99.19%
ELECTION JUDGE REIMBURSEMENT	\$1,347,100.00	\$973,000.00	\$0.00	\$374,100.00	72.23%
ELECTION JUDGES/EARLY VOTING	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
IVRS LUMP SUM - GRANTS	\$1,251,900.00	\$1,208,177.66	\$0.00	\$43,722.34	96.51%
REDISTRICTING	\$90,000.00	\$90,000.00	\$0.00	\$0.00	100.00%
ADDITIONAL STATE MATCH	\$2,700.00	\$2,690.00	\$0.00	\$10.00	0.00%
VOTING SYSTEMS INTEGRITY CENTER	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
ELEC. CANVASSING IMPLEMENTATION	\$332,400.00	\$332,338.90	\$0.00	\$61.10	99.98%
IDIS SYSTEM REPLACEMENT	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SUPP. APPROP. - IVRS	\$1,000,000.00	\$1,000,000.00	\$0.00	\$0.00	100.00%
SUPP. APPROP. - ELECTION DAY JUDGI	\$1,000,000.00	\$999,990.00	\$0.00	\$10.00	100.00%
SUB-TOTAL (GRANTS)	\$5,830,100.00	\$3,405,706.56	\$0.00	\$2,424,393.44	58.42%
TOTAL APPROPRIATION	\$13,343,800.00	\$9,460,639.40	\$86,864.99	\$3,796,295.61	70.90%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

BOARD MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
CONTRACTUAL SERVICE				
1205 Freight Express & Drayage	\$2,400.00	\$797.94	\$1,602.06	33.25%
1221 Repair/Maint. Furn./Office Equipment				
1232 Rental Motor Vehicles	\$1,000.00	\$1,000.00	\$0.00	100.00%
1239 Rental, NEC	\$100.00	\$98.34	\$1.66	98.34%
1243 Book Binding Services				
1266 Court Reporting & Filing Services	\$17,000.00	\$15,898.75	\$1,101.25	93.52%
1274 Reg. Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscriptions				
1276 Reg. Fees & Conf. Expenses (Employee)	\$100.00	\$0.00	\$100.00	0.00%
1277 Association Dues	\$100.00	\$0.00	\$100.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$500.00	\$321.75	\$178.25	64.35%
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$500.00	\$441.05	\$58.95	88.21%
TRAVEL	\$19,000.00	\$17,342.75	\$1,657.25	91.28%
EQUIPMENT				
1510 Office Furniture & Equipment	\$600.00	\$0.00	\$600.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$100.00	\$78.29	\$21.71	78.29%

BOARD GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE
CONTRACTUAL SERVICE	\$22,700.00	\$18,557.83		\$4,142.17
TRAVEL	\$19,000.00	\$17,342.75		\$1,657.25
EQUIPMENT	\$600.00	\$0.00		\$600.00
INTEREST PAYMENTS	\$100.00	\$78.29		\$21.71
TOTAL	\$42,400.00	\$35,978.87	\$0.00	\$6,421.13

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

ADMINISTRATION MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$749,900.00	\$659,692.68	\$90,207.32	87.97%
1129 State Paid Retirement	\$30,000.00	\$25,361.27	\$4,638.73	84.54%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$57,400.00	\$48,764.23	\$8,635.77	84.96%
CONTRACTUAL SERVICE				
1201 Petty Cash	\$500.00	\$71.82	\$428.18	14.36%
1205 Freight Express & Drayage	\$700.00	\$63.32	\$636.68	9.05%
1221 Repair/Maint. Furn./Office Equipment	\$10,100.00	\$8,361.85	\$1,738.15	82.79%
1223 Repair/Maint. Real Property	\$4,000.00	\$389.23	\$3,610.77	9.73%
1229 Repair & Maintenance NEC	\$100.00	\$45.95	\$54.05	45.95%
1230 In-House Repair & Maintenance				
1231 Rental, Office Equipment	\$32,600.00	\$2,600.00	\$30,000.00	7.98%
1232 Rental, Motor Vehicles	\$4,600.00	\$1,000.00	\$3,600.00	21.74%
1233 Rental, Real Property	\$298,500.00	\$298,453.39	\$46.61	99.98%
1234 Rental, Machinery & Mechanical Eqmt				
1239 Rental, NEC	\$1,000.00	\$410.00	\$590.00	41.00%
1240 Statistical & Tabulation Services	\$12,800.00	\$11,117.19	\$1,682.81	86.85%
1245 Professional & Artistic				
1248 Building & Grounds Maintenance	\$9,500.00	\$4,654.95	\$4,845.05	49.00%
1251 Gas	\$10,400.00	\$1,144.49	\$9,255.51	11.00%
1252 Electricity	\$66,100.00	\$32,336.39	\$33,763.61	48.92%
1253 Water	\$1,400.00	\$729.61	\$670.39	52.12%
1255 Utilities, NEC	\$900.00	\$495.59	\$404.41	55.07%
1261 Postage	\$75,000.00	\$74,182.09	\$817.91	98.91%
1266 Court Reporting				
1274 Reg Fees & Conf. Expenses (Vendor)	\$800.00	\$530.00	\$270.00	66.25%
1275 Subscription & Information Services	\$2,600.00	\$2,448.89	\$151.11	94.19%
1276 Reg.Fees & Conf. Expenses (Employee)	\$500.00	\$0.00	\$500.00	0.00%
1277 Association Dues	\$2,000.00	\$1,710.00	\$290.00	85.50%
1279 Tuition - Employee				
1280 Copying, Photographic & Printer Services	\$100.00	\$10.72	\$89.28	10.72%
1281 Interviewee Expense - To Vendors				
1285 Taxes, Licenses & Fees	\$100.00	\$0.00	\$100.00	0.00%
1289 Contractual Services, NEC	\$47,800.00	\$47,705.94	\$94.06	99.80%
TRAVEL				
1291 In-State	\$17,700.00	\$5,113.33	\$12,586.67	28.89%
1292 Out-of-State	\$1,300.00	\$1,213.58	\$86.42	93.35%
PRINTING	\$9,200.00	\$3,464.03	\$5,735.97	37.65%
COMMODITIES				
1304 Office/Library Supplies	\$12,900.00	\$12,819.94	\$80.06	99.38%
1306 Food for Human Consumption	\$100.00	\$38.55	\$61.45	38.55%
1391 Household & Cleaning Supplies	\$2,100.00	\$1,297.08	\$802.92	61.77%
1394 Office/Library Equip., Not exc. \$100	\$1,400.00	\$1,311.53	\$88.47	93.68%
1398 Equipment, NEC	\$400.00	\$143.90	\$256.10	35.98%
1399 Commodities, NEC	\$600.00	\$335.10	\$264.90	55.85%
EQUIPMENT				
1510 Office Furniture & Equipment	\$3,600.00	\$3,531.82	\$68.18	98.11%
1599 Equipment NEC	\$0.00	\$0.00	\$0.00	0.00%
TELECOMMUNICATIONS				
1710 Repair/Maintenance Telecom				
1721 Rental, Telephone Serv. & Equip.	\$51,000.00	\$46,782.05	\$4,217.95	91.73%
1722 Rental, Data Comm. Serv. & Equip.	\$81,200.00	\$57,204.41	\$23,995.59	70.45%
1728 Videoconferencing	\$6,400.00	\$6,207.85	\$192.15	97.00%
1729 Rental, Other Comm. Serv. & Equip.	\$3,700.00	\$0.00	\$3,700.00	0.00%
1730 Parts & Supplies for Telephone	\$1,500.00	\$0.00	\$1,500.00	0.00%
1750 Telephone, Data, Radio & Other Equipment				
OPERATION OF AUTO EQUIPMENT				
1893 Repair & Maint., Auto. Equipment	\$1,800.00	\$1,289.22	\$510.78	71.62%
1894 Parts & Fittings, Auto Equipment	\$300.00	\$274.86	\$25.14	91.62%
1896 Gasoline, Oil & Antifreeze	\$2,800.00	\$1,631.56	\$1,168.44	58.27%
1899 Auto. Expenses, NEC				
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%
ADMINISTRATION GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	% OF BALANCE EXPENDITURE
PERSONAL SERVICE	\$749,900.00	\$659,692.68		87.97%
STATE PAID RETIREMENT	\$30,000.00	\$25,361.27		84.54%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		0.00%
SOCIAL SECURITY	\$57,400.00	\$48,764.23		84.96%
CONTRACTUAL SERVICE	\$582,100.00	\$488,461.42		83.91%
TRAVEL	\$19,000.00	\$6,326.91		33.30%
PRINTING	\$9,200.00	\$3,464.03		37.65%
COMMODITIES	\$17,500.00	\$15,946.10		91.12%
EQUIPMENT	\$3,600.00	\$3,531.82		98.11%
TELECOMMUNICATIONS	\$143,800.00	\$110,194.31		76.63%
OPERATION OF AUTO EQUIPMENT	\$4,900.00	\$3,195.64		65.22%
INTEREST PAYMENTS	\$0.00	\$0.00		0.00%
TOTAL	\$1,617,400.00	\$1,364,938.41	\$0.00	\$252,461.59 84.39%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

ELECTIONS MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$1,724,600.00	\$1,466,819.73	\$257,780.27	85.05%
1129 State Paid Retirement	\$69,000.00	\$57,972.37	\$11,027.63	84.02%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$132,000.00	\$108,719.75	\$23,280.25	82.36%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1202 Contractual reimbursement To Employee				
1205 Freight Express & Drayage	\$3,600.00	\$68.29	\$3,531.71	1.90%
1221 Repair/Maint. Furn./Office Equipment	\$200.00	\$200.00	\$0.00	100.00%
1231 Rental, Office Equipment				
1232 Rental, Motor Vehicles				
1237 Rental, Film & Audio/Visual Aids	\$100.00	\$0.00	\$100.00	0.00%
1239 Rental, NEC	\$4,100.00	\$550.00	\$3,550.00	13.41%
1242 Auditing & Management Services				
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services	\$300.00	\$290.00	\$10.00	96.67%
1273 Advertising	\$700.00	\$648.00	\$52.00	92.57%
1274 Reg Fees & Conf. Expenses (Vendor)	\$4,000.00	\$0.00	\$4,000.00	0.00%
1275 Subscription & Information Services	\$1,900.00	\$0.00	\$1,900.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$1,300.00	\$0.00	\$1,300.00	0.00%
1277 Association Dues	\$2,300.00	\$944.00	\$1,356.00	41.04%
1279 Employee Tuition & Fees	\$2,900.00	\$170.00	\$2,730.00	5.86%
1280 Copying, Photographic & Printing Services	\$1,000.00	\$0.00	\$1,000.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-state Employees	\$300.00	\$290.44	\$9.56	96.81%
1289 Contractual Services, NEC	\$23,700.00	\$1,722.82	\$21,977.18	7.27%
TRAVEL	\$58,500.00	\$20,723.67	\$37,776.33	35.43%
PRINTING	\$18,900.00	\$7,580.40	\$11,319.60	40.11%
EQUIPMENT				
1510 Office Furniture & Equipment	\$5,000.00	\$1,482.49	\$3,517.51	29.65%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$6,500.00	\$6,493.41	\$6.59	0.00%
HAVA - Maintenance of Effort	\$550,000.00	\$426,859.80	\$123,140.20	77.61%
ELECTION CODE BOOKS	\$17,200.00	\$17,110.00	\$90.00	99.48%
Redistricting	\$90,000.00	\$90,000.00	\$0.00	100.00%
Election Judge Reimbursements	\$1,347,100.00	\$973,000.00	\$374,100.00	72.23%
Stipends	\$806,000.00	\$799,500.00	\$6,500.00	99.19%
Early Voting Election Judges	\$0.00	\$0.00	\$0.00	0.00%
State HAVA Match	\$2,700.00	\$2,690.00	\$10.00	99.63%
Voting System Integrity Center	\$0.00	\$0.00	\$0.00	0.00%
Electronic Canvassing Implementation	\$332,400.00	\$332,338.90	\$61.10	99.98%
Electronic Canvassing Interest Payments	\$1,400.00	\$1,334.81	\$65.19	95.34%
IDIS Replacement System	\$0.00	\$0.00	\$0.00	0.00%
Supp. Approp. - Election Day Judge	\$1,000,000.00	\$999,990.00	\$10.00	100.00%

ELECTIONS GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$1,724,600.00	\$1,466,819.73		\$257,780.27	85.05%
STATE PAID RETIREMENT	\$69,000.00	\$57,972.37		\$11,027.63	84.02%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$132,000.00	\$108,719.75		\$23,280.25	82.36%
CONTRACTUAL SERVICE	\$46,400.00	\$4,883.55		\$41,516.45	10.52%
TRAVEL	\$58,500.00	\$20,723.67		\$37,776.33	35.43%
PRINTING	\$18,900.00	\$7,580.40		\$11,319.60	40.11%
EQUIPMENT	\$5,000.00	\$1,482.49		\$3,517.51	29.65%
HAVA - Maintenance of Effort	\$550,000.00	\$426,859.80	\$37,967.27	\$85,172.93	77.61%
ELECTION CODE BOOKS	\$17,200.00	\$17,110.00		\$90.00	99.48%
Redistricting	\$90,000.00	\$90,000.00		\$0.00	100.00%
Election Judge Reimbursements	\$1,347,100.00	\$973,000.00		\$374,100.00	72.23%
Stipends	\$806,000.00	\$799,500.00		\$6,500.00	99.19%
Early Voting Election Judges	\$0.00	\$0.00		\$0.00	0.00%
State HAVA Match	\$2,700.00	\$2,690.00		\$10.00	0.00%
Voting System Integrity Center	\$0.00	\$0.00		\$0.00	0.00%
Electronic Canvassing Implementation	\$332,400.00	\$332,338.90		\$61.10	99.98%
Electronic Canvassing Interest Payments	\$1,400.00	\$1,334.81		\$65.19	95.34%
IDIS Replacement System	\$0.00	\$0.00		\$0.00	0.00%
Supp. Approp. - Election Day Judge	\$1,000,000.00	\$999,990.00		\$10.00	100.00%
INTEREST PAYMENTS	\$6,500.00	\$6,493.41		\$6.59	99.90%
TOTAL	\$6,207,700.00	\$5,317,498.88	\$37,967.27	\$852,233.85	85.66%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

GENERAL COUNSEL MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$277,661.98	\$12,038.02	95.84%
1129 State Paid Retirement	\$11,600.00	\$11,114.93	\$485.07	95.82%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$22,200.00	\$20,600.26	\$1,599.74	92.79%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1202 Reimbursement to Employee	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$500.00	\$0.00	\$500.00	0.00%
1221 Repair/Maint. Furn./Office Equipment				
1244 Legal Fees	\$91,400.00	\$76,681.06	\$14,718.94	83.90%
1245 Professional & Artistic Services, NEC	\$5,200.00	\$5,115.00	\$85.00	98.37%
1266 Court Reporting & Filing Services	\$18,600.00	\$18,541.44	\$58.56	99.69%
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscription & Information Services	\$3,000.00	\$721.64	\$2,278.36	24.05%
1276 Reg. Fees & Conf. Expenses (Employee)	\$2,000.00	\$289.00	\$1,711.00	0.00%
1277 Association Dues	\$1,500.00	\$1,175.00	\$325.00	78.33%
1279 Employee Tuition & Fees	\$500.00	\$428.00	\$72.00	85.60%
1280 Copying, Photographic & Printing Services	\$700.00	\$0.00	\$700.00	0.00%
1284 Computer Software				
1289 Contractual Services, NEC	\$5,200.00	\$4,996.75	\$203.25	96.09%
TRAVEL	\$10,600.00	\$10,592.44	\$7.56	99.93%
EQUIPMENT				
1510 Office Furniture & Equipment	\$500.00	\$0.00	\$500.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$300.00	\$214.70	\$85.30	0.00%

GENERAL COUNSEL GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$277,661.98		\$12,038.02	95.84%
STATE PAID RETIREMENT	\$11,600.00	\$11,114.93		\$485.07	95.82%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$22,200.00	\$20,600.26		\$1,599.74	92.79%
CONTRACTUAL SERVICE	\$129,600.00	\$107,947.89	10,878.92	\$10,773.19	83.29%
TRAVEL	\$10,600.00	\$10,592.44		\$7.56	99.93%
EQUIPMENT	\$500.00	\$0.00		\$500.00	0.00%
INTEREST PAYMENTS	\$300.00	\$214.70		\$85.30	0.00%
TOTAL	\$464,500.00	\$428,132.20	\$10,878.92	\$25,488.88	92.17%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

CAMPAIGN DISCLOSURE MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$679,176.55	\$118,123.45	85.18%
1129 State Paid Retirement	\$31,900.00	\$27,177.89	\$4,722.11	85.20%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$61,000.00	\$49,831.79	\$11,168.21	81.69%
CONTRACTUAL SERVICE				
1202 Employee Reimbursement	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$100.00	\$5.83	\$94.17	5.83%
1221 Repair & Maint, Furn & Office Equipment	\$400.00	\$365.00	\$35.00	91.25%
1225 Repair & Maint, EDP				
1229 Repair & Maint, NEC				
1232 Rental, Motor Vehicles				
1239 Rental, NEC	\$3,100.00	\$0.00	\$3,100.00	0.00%
1245 Professional & Artistic Services, NEC	\$6,000.00	\$0.00	\$6,000.00	0.00%
1248 Building & Ground Maintenance				
1266 Court Reporting & Filing Services				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,100.00	\$1,060.00	\$40.00	96.36%
1275 Subscription & Information Services				
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$400.00	\$0.00	\$400.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC				
TRAVEL				
1291 In-State	\$8,000.00	\$974.30	\$7,025.70	12.18%
1292 Out-of-State	\$3,300.00	\$2,814.90	\$485.10	85.30%
PRINTING	\$22,000.00	\$11,820.94	\$10,179.06	53.73%
EQUIPMENT				
1510 Office Furniture & Equipment	\$9,200.00	\$2,600.01	\$6,599.99	28.26%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$100.00	\$72.14	\$27.86	0.00%

CAMPAIGN DISCLOSURE GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$679,176.55		\$118,123.45	85.18%
STATE PAID RETIREMENT	\$31,900.00	\$27,177.89		\$4,722.11	85.20%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$61,000.00	\$49,831.79		\$11,168.21	81.69%
CONTRACTUAL SERVICE	\$11,100.00	\$1,430.83		\$9,669.17	12.89%
TRAVEL	\$11,300.00	\$3,789.20		\$7,510.80	33.53%
PRINTING	\$22,000.00	\$11,820.94		\$10,179.06	53.73%
EQUIPMENT	\$9,200.00	\$2,600.01		\$6,599.99	28.26%
INTEREST PAYMENTS	\$100.00	\$72.14		\$27.86	0.00%
TOTAL	\$943,900.00	\$775,899.35	\$0.00	\$168,000.65	82.20%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

INFORMATION TECHNOLOGY MONTH ENDING: June 30, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$718,600.00	\$676,887.92	\$41,712.08	94.20%
1129 State Paid Retirement	\$28,800.00	\$26,138.49	\$2,661.51	90.76%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$55,000.00	\$50,512.60	\$4,487.40	91.84%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1205 Freight Express & Drayage	\$100.00	\$14.25	\$85.75	14.25%
1221 Repair/Maint. Furn./Office Equipment	\$13,000.00	\$163.88	\$12,836.12	1.26%
1223 Repair/Maint. Real Property	\$5,600.00	\$5,545.83	\$54.17	99.03%
1225 Repair/Maint. EDP Equipment	\$56,200.00	\$1,767.00	\$54,433.00	3.14%
1230 In-House Repair of Equipment				
1234 Rental, Machinery and Mech. Equip				
1239 Rental, NEC	\$600.00	\$564.60	\$35.40	94.10%
1242 Auditing & Management Services	\$0.00	\$0.00	\$0.00	0.00%
1244 Legal Fees				
1245 Professional & Artistic Services, NEC	\$209,900.00	\$0.00	\$209,900.00	0.00%
1271 Surety Bond & Ins. Prem.	\$700.00	\$499.00	\$201.00	71.29%
1272 Travel & Expense Reimbursement (Vendor)				
1274 Reg Fees & Conf. Expenses (Vendor)	\$6,000.00	\$4,485.00	\$1,515.00	74.75%
1275 Subscription & Information Services	\$2,800.00	\$0.00	\$2,800.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$5,000.00	\$0.00	\$5,000.00	0.00%
1284 Computer Software	\$118,100.00	\$55,645.10	\$62,454.90	47.12%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee	\$200.00	\$194.02	\$5.98	97.01%
1289 Contractual Services, NEC	\$92,200.00	\$92,195.09	\$4.91	99.99%
TRAVEL				
1291 In-State	\$5,500.00	\$4,829.34	\$670.66	87.81%
1292 Out-of-State	\$5,400.00	\$0.00	\$5,400.00	0.00%
PRINTING	\$700.00	\$22.50	\$677.50	3.21%
COMMODITIES				
1304 Office/Library Supplies	\$20,800.00	\$19,634.17	\$1,165.83	94.40%
1332 Industrial & Shop Materials				
1394 Office & Library Equipment Under \$100	\$200.00	\$171.51	\$28.49	85.76%
1395 Small Tools < \$100	\$100.00	\$82.35	\$17.65	82.35%
1398 Equipment, NEC	\$700.00	\$635.01	\$64.99	90.72%
1399 Commodities, NEC	\$200.00	\$113.81	\$86.19	56.91%
EQUIPMENT				
1510 Office Furniture & Equipment	\$900.00	\$887.12	\$12.88	0.00%
1515 EDP Equipment	\$138,400.00	\$79,684.51	\$58,715.49	57.58%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$1,800.00	\$1,728.78	\$71.22	96.04%

INFORMATION TECHNOLOGY GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$718,600.00	\$676,887.92		\$41,712.08	94.20%
STATE PAID RETIREMENT	\$28,800.00	\$26,138.49		\$2,661.51	90.76%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$55,000.00	\$50,512.60		\$4,487.40	91.84%
CONTRACTUAL SERVICE	\$510,400.00	\$161,073.77	\$37,859.20	\$311,467.03	31.56%
TRAVEL	\$10,900.00	\$4,829.34		\$6,070.66	44.31%
PRINTING	\$700.00	\$22.50		\$677.50	3.21%
COMMODITIES	\$22,000.00	\$20,636.85		\$1,363.15	93.80%
EQUIPMENT	\$139,300.00	\$80,571.63	\$159.60	\$58,568.77	57.84%
INTEREST PAYMENTS	\$1,800.00	\$1,728.78		\$71.22	0.00%
TOTAL	\$1,487,500.00	\$1,022,401.88	\$38,018.80	\$427,079.32	68.73%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

IVRS LUMP SUM	YEAR TO DATE
<u>MONTH ENDING: June 30, 2012</u>	<u>EXPENDITURE</u>
PERSONAL SERVICE	\$259,620.50
1129 State Paid Retirement	\$10,387.05
1161 Retirement	
1170 Social Security	\$18,790.07
CONTRACTUAL SERVICE	
1205 Freight Express & Drayage	
1221 Repair/Maint. Furn./Office Equipment	
1232 Rental Motor Vehicles	
1239 Rental, NEC	
1242 Auditing & Management Services	
1243 Book Binding Services	
1261 Postage	\$7,474.86
1266 Court Reporting & Filing Services	
1274 Reg. Fees & Conf. Expenses (Vendor)	
1275 Subscriptions	
1276 Reg. Fees & Conf. Expenses (Employee)	
1277 Association Dues	
1279 Employee Tuition & Fees	
1280 Copying, Photographic & Printing Services	
1284 Computer Software	\$9,091.20
1286 Travel, Non-State Employee	
1289 Contractual Services, NEC	
TRAVEL	\$268.59
PRINTING	\$459.00
COMMODITIES	
1304 Office Supplies	
1398 Equipment Less than \$100	\$1,510.88
EQUIPMENT	
1510 Office Furniture & Equipment	
LUMP SUMS & OTHER PURPOSES	
1991 Interest Payments	
LOCAL GRANTS	
4453 Reimbursement to Governmental Units	\$1,208,177.66
4458 Services, NEC	
4470 Grants to Local Governments	
4479 Payments to Other State Agencies	
SUPP. APPROP. - IVRS	\$ 1,000,000.00
LUMP SUM - OPERATIONS APPROP FOR YEAR	\$328,500.00
TOTAL LUMP SUM - OPERATIONS EXPENDITURES	\$307,602.15
REMAINING LUMP SUM APPROPRIATION	\$20,897.85
LUMP SUM - GRANTS APPROP FOR YEAR	\$1,251,900.00
TOTAL LUMP SUM - GRANT EXPENDITURES	\$1,208,177.66
REMAINING LUMP SUM APPROPRIATION	\$43,722.34
LUMP SUM TOTAL APPROPRIATION	\$1,580,400.00
TOTAL LUMP SUM EXPENDITURES	\$1,515,779.81
REMAINING LUMP SUM APPROPRIATION	\$64,620.19
SUPP. APPROP - IVRS	\$1,000,000.00
TOTAL SUPP. APPROP. - IVRS	\$1,000,000.00
REMAINING SUPP. APPROP. - IVRS	\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
 Help Illinois Vote Fund

AGENCY TOTALS	SECTION 101 <u>Discretionary</u> <u>Funds</u>	SECTION 102 <u>Entitlement</u> <u>Payments</u>	SECTION 261 <u>EAID</u> Disbursements	SECTION 251 <u>Requirements</u>	SECTION 251 <u>Additional</u> <u>Requirements</u>	TOTAL <u>Fund Activity</u>
MONTH ENDING: June 30, 2012						
CASH BALANCE AT BEGINNING OF YR	\$2,409,908.25	\$0.00	-\$80,713.82	\$5,700,043.64	\$11,787,751.01	\$19,816,989.08
Program Revenues from Federal Govt			\$133,948.82		\$51,107.00	\$185,055.82
Miscellaneous Revenues	\$69.50					\$69.50
Interest Earned on IOC Balances	\$6,051.73			\$25,962.64	\$44,065.63	\$76,080.00
Interest Penalties Received						\$0.00
EAC-Mandated Transfers of Interest	-\$1,232,597.16			\$1,232,597.16		\$0.00
State Match Receipts						\$0.00
TOTAL CASH REVENUES	-\$1,226,475.93	\$0.00	\$133,948.82	\$1,258,559.80	\$95,172.63	\$261,205.32
YEAR TO DATE CASH EXPENDITURES						
PERSONAL SERVICE	\$75,748.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75,748.00
STATE-PAID RETIREMENT	\$3,030.98	\$0.00	\$0.00	\$0.00	\$0.00	\$3,030.98
RETIREMENT	\$25,906.74	\$0.00	\$0.00	\$0.00	\$0.00	\$25,906.74
SOCIAL SECURITY	\$5,541.72	\$0.00	\$0.00	\$0.00	\$0.00	\$5,541.72
GROUP INSURANCE	\$22,651.44	\$0.00	\$0.00	\$0.00	\$0.00	\$22,651.44
CONTRACTUAL SERVICE	\$29,580.51	\$0.00	\$0.00	\$192,630.24	\$0.00	\$222,210.75
TRAVEL	\$19,596.82	\$0.00	\$0.00	\$0.00	\$0.00	\$19,596.82
PRINTING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
COMMODITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EQUIPMENT	\$1,389.66	\$0.00	\$0.00	\$0.00	\$0.00	\$1,389.66
TELECOMMUNICATIONS	\$371.39	\$0.00	\$0.00	\$0.00	\$0.00	\$371.39
OPERATION OF AUTO. EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COST REFUNDS	\$60,226.64	\$0.00	\$0.00	\$505,363.36	\$0.00	\$565,590.00
SUB-TOTAL CASH EXPENDITURES (OPERATIONS)	\$244,043.90	\$0.00	\$0.00	\$697,993.60	\$0.00	\$942,037.50
AWARDS & GRANTS	\$0.00	\$0.00	\$53,235.00	\$175,932.32	\$4,489,617.38	\$4,718,784.70
TOTAL CASH EXPENDITURES	\$244,043.90	\$0.00	\$53,235.00	\$873,925.92	\$4,489,617.38	\$5,660,822.20
CASH BALANCE AT END OF MONTH	\$939,388.42	\$0.00	\$0.00	\$6,084,677.52	\$7,393,306.26	\$14,417,372.20

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 101 - DISCRETIONARY FUNDS	FY12	YEAR TO DATE	
MONTH ENDING: June 30, 2012	APPROPRIATION	EXPENDITURE	
PERSONAL SERVICE	\$75,748.00	\$75,748.00	
1129 State Paid Retirement	\$3,030.98	\$3,030.98	
1161 Retirement	\$25,906.74	\$25,906.74	
1170 Social Security	\$5,541.72	\$5,541.72	
1180 Group Insurance	\$22,651.44	\$22,651.44	
CONTRACTUAL SERVICE			
1205 Freight Express/Drayage	\$73.51	\$73.51	
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.	\$7,388.00	\$7,388.00	
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services	\$14,479.00	\$14,479.00	
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)	\$3,250.00	\$3,250.00	
1276 Registration Fees & Conf. Exp. (Employee)	\$1,393.00	\$1,393.00	
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software	\$2,997.00	\$2,997.00	
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
TRAVEL			
1291 In-State & 1293 In-State (to vendor)	\$15,286.05	\$15,286.05	
1292 Out-of-State	\$4,310.77	\$4,310.77	
PRINTING			
COMMODITIES			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
EQUIPMENT			
1510 Office Furniture & Equipment			
1515 EDP Equipment	\$1,389.66	\$1,389.66	
1561 Training Equipment			
6625 Leasehold Improvements			
TELECOMMUNICATIONS			
1721 Rental, Telephone Serv. & Equip.	\$371.39	\$371.39	
1722 Rental, Data Comm. Serv. & Equip.			
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
OPERATION OF AUTO EQUIPMENT			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
INDIRECT COST REFUNDS			
1993 Indirect Cost Allocation Refund	\$60,226.64	\$60,226.64	
GRANTS			
4453 Reimbursement to Governmental Units			
4458 Services, NEC			
4470 Grants to Local Governments (PPA)			
4470 Grants to Local Governments (EAI)			
4470 Grants to Local Governments (AAG)			
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
SECTION 101 GRAND TOTAL	FY12	YEAR TO DATE	OBLIGATED
	APPROPRIATION	EXPENDITURE	MONEY
PERSONAL SERVICE	\$75,748.00	\$75,748.00	
STATE PAID RETIREMENT	\$3,030.98	\$3,030.98	
RETIREMENT	\$25,906.74	\$25,906.74	
SOCIAL SECURITY	\$5,541.72	\$5,541.72	
GROUP INSURANCE	\$22,651.44	\$22,651.44	
CONTRACTUAL SERVICE	\$29,580.51	\$29,580.51	
TRAVEL	\$19,596.82	\$19,596.82	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$1,389.66	\$1,389.66	
TELECOMMUNICATIONS	\$371.39	\$371.39	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$60,226.64	\$60,226.64	
GRANTS	\$0.00	\$0.00	
TOTAL	\$244,043.90	\$244,043.90	\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
 Help Illinois Vote Fund

SECTION 102 - ENTITLEMENT PAYMENTS
MONTH ENDING: June 30, 2012

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
 1161 Retirement
 1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
 1225 Repair & Maintenance, EDP Equip.
 1231 Rental, Office Equipment
 1237 Rental, Film & Audio/Visual Aids
 1239 Rental, NEC
 1242 Auditing & Management Services
 1243 Book Binding & Processing Services
 1244 Legal Fees
 1245 Professional & Technical Services, NEC
 1261 Postage
 1266 Court Reporting & Filing Services
 1274 Registration Fees & Conf. Exp. (Vendor)
 1276 Registration Fees & Conf. Exp. (Employee)
 1280 Copying, Photographic & Printing Serv.
 1284 Computer Software
 1289 Contractual Services, NEC

TRAVEL

1291 In-State
 1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
 1394 Office/Library Equip., Not Exceed. \$100
 1398 Equipment, NEC
 1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
 1515 EDP Equipment
 1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
 1722 Rental, Data Comm. Serv. & Equip.
 1728 Video Conferencing
 1729 Rental, Other Comm. Serv. & Equip.
 1730 Parts & Supplies for Telephone
 1740 Answering & Pag. Comm. Serv. Equip.
 1750 Telephone, Data, Radio & Other Equip.
 1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
 1894 Parts & Fittings, Automotive Equipment
 1896 Gasoline, Oil & Antifreeze
 1898 Automotive Services, NEC
 1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units
 4458 Services, NEC
 4470 Grants to Local Governments, NEC

SECTION 102 GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE	\$0.00	\$0.00
STATE PAID RETIREMENT	\$0.00	\$0.00
RETIREMENT	\$0.00	\$0.00
SOCIAL SECURITY	\$0.00	\$0.00
CONTRACTUAL SERVICE	\$0.00	\$0.00
TRAVEL	\$0.00	\$0.00
PRINTING	\$0.00	\$0.00
COMMODITIES	\$0.00	\$0.00
EQUIPMENT	\$0.00	\$0.00
TELECOMMUNICATIONS	\$0.00	\$0.00
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00
GRANTS	\$0.00	\$0.00

TOTAL	\$0.00	\$0.00	\$0.00
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STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
 Help Illinois Vote Fund

SECTION 261 - EAID DISBURSEMENTS
MONTH ENDING: June 30, 2012

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
 1161 Retirement
 1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
 1225 Repair & Maintenance, EDP Equip.
 1231 Rental, Office Equipment
 1237 Rental, Film & Audio/Visual Aids
 1239 Rental, NEC
 1242 Auditing & Management Services
 1243 Book Binding & Processing Services
 1244 Legal Fees
 1245 Professional & Technical Services, NEC
 1261 Postage
 1266 Court Reporting & Filing Services
 1274 Registration Fees & Conf. Exp. (Vendor)
 1276 Registration Fees & Conf. Exp. (Employee)
 1280 Copying, Photographic & Printing Serv.
 1284 Computer Software
 1289 Contractual Services, NEC

TRAVEL

1291 In-State
 1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
 1394 Office/Library Equip., Not exc. \$100
 1398 Equipment, NEC
 1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
 1515 EDP Equipment
 1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
 1722 Rental, Data Comm. Serv. & Equip.
 1728 Video Conferencing
 1729 Rental, Other Comm. Serv. & Equip.
 1730 Parts & Supplies for Telephone
 1740 Answering & Pag. Comm. Serv. Equip.
 1750 Telephone, Data, Radio & Other Equip.
 1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
 1894 Parts & Fittings, Automotive Equipment
 1896 Gasoline, Oil & Antifreeze
 1898 Automotive Services, NEC
 1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units
 4470 Grants to Local Governments (VAID II)
 4470 Grants to Local Governments (VAID III)

\$53,235.00

\$53,235.00

SECTION 261 GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE

\$0.00

\$0.00

STATE PAID RETIREMENT

\$0.00

\$0.00

RETIREMENT

\$0.00

\$0.00

SOCIAL SECURITY

\$0.00

\$0.00

CONTRACTUAL SERVICE

\$0.00

\$0.00

TRAVEL

\$0.00

\$0.00

PRINTING

\$0.00

\$0.00

COMMODITIES

\$0.00

\$0.00

EQUIPMENT

\$0.00

\$0.00

TELECOMMUNICATIONS

\$0.00

\$0.00

OPERATION OF AUTO EQUIPMENT

\$0.00

\$0.00

GRANTS

\$53,235.00

\$53,235.00

TOTAL

\$53,235.00

\$53,235.00

\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 251 - REQUIREMENTS
MONTH ENDING: June 30, 2012

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
1161 Retirement
1170 Social Security
1180 Group Insurance

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
1223 Repair & Maintenance Real Property
1225 Repair & Maintenance, EDP Equip.
1231 Rental, Office Equipment
1232 Rental, Motor Vehicles
1237 Rental, Film & Audio/Visual Aids
1239 Rental, NEC
1242 Auditing & Management Services
1243 Book Binding & Processing Services
1244 Legal Fees
1245 Professional & Technical Services, NEC
1261 Postage
1266 Court Reporting & Filing Services
1273 Advertising
1274 Registration Fees & Conf. Exp. (Vendor)
1276 Registration Fees & Conf. Exp. (Employee)
1280 Copying, Photographic & Printing Serv.
1284 Computer Software
1289 Contractual Services, NEC

\$148,777.80

\$148,777.80

\$8,702.10

\$8,702.10

\$35,150.34

\$35,150.34

TRAVEL

1291 In-State
1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
1308 Educational & Instructional Materials
1394 Office/Library Equip., Not Exceed. \$100
1398 Equipment, NEC
1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
1515 EDP Equipment
1561 Training Equipment
6625 Leasehold Improvements

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
1722 Rental, Data Comm. Serv. & Equip.
1728 Video Conferencing
1729 Rental, Other Comm. Serv. & Equip.
1730 Parts & Supplies for Telephone
1740 Answering & Pag. Comm. Serv. Equip.
1750 Telephone, Data, Radio & Other Equip.
1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
1894 Parts & Fittings, Automotive Equipment
1896 Gasoline, Oil & Antifreeze
1898 Automotive Services, NEC
1899 Automotive Expenses, NEC

INDIRECT COST REFUNDS

1993 Indirect Cost Allocation Refund

\$505,363.36

\$505,363.36

GRANTS

4453 Reimbursement to Govt Units (AVE)
4453 Reimbursement to Govt Units (Phase II)
4453 Reimbursement to Govt Units (ALA)
4453 Reimbursement to Govt Units (EDG)
4470 Grants to Local Governments (VRS)
4479 Payments to Other State Agencies

\$175,932.32

\$175,932.32

SECTION 251 (OLD REQ) GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$192,630.24	\$192,630.24	\$1,115,850.65
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$505,363.36	\$505,363.36	
GRANTS	\$175,932.32	\$175,932.32	

TOTAL	\$873,925.92	\$873,925.92	\$1,115,850.65
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STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 251 - ADDITIONAL REQUIREMENTS
MONTH ENDING: June 30, 2012

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
1161 Retirement
1170 Social Security
1180 Group Insurance

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
1223 Repair & Maintenance Real Property
1225 Repair & Maintenance, EDP Equip.
1231 Rental, Office Equipment
1232 Rental, Motor Vehicles
1237 Rental, Film & Audio/Visual Aids
1239 Rental, NEC
1242 Auditing & Management Services
1243 Book Binding & Processing Services
1244 Legal Fees
1245 Professional & Technical Services, NEC
1261 Postage
1266 Court Reporting & Filing Services
1273 Advertising
1274 Registration Fees & Conf. Exp. (Vendor)
1276 Registration Fees & Conf. Exp. (Employee)
1280 Copying, Photographic & Printing Serv.
1284 Computer Software
1289 Contractual Services, NEC

TRAVEL

1291 In-State
1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
1308 Educational & Instructional Materials
1394 Office/Library Equip., Not Exceed. \$100
1398 Equipment, NEC
1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
1515 EDP Equipment
1561 Training Equipment
6625 Leasehold Improvements

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
1722 Rental, Data Comm. Serv. & Equip.
1728 Video Conferencing
1729 Rental, Other Comm. Serv. & Equip.
1730 Parts & Supplies for Telephone
1740 Answering & Pag. Comm. Serv. Equip.
1750 Telephone, Data, Radio & Other Equip.
1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
1894 Parts & Fittings, Automotive Equipment
1896 Gasoline, Oil & Antifreeze
1898 Automotive Services, NEC
1899 Automotive Expenses, NEC

INDIRECT COST REFUNDS

1993 Indirect Cost Allocation Refund

GRANTS

4453 Reimbursement to Govt Units (AVE)
4453 Reimbursement to Govt Units (Phase II)
4453 Reimbursement to Govt Units (ALA)
4453 Reimbursement to Govt Units (EDG)
4470 Grants to Local Governments (VRS)
4479 Payments to Other State Agencies

\$4,489,617.38

\$4,489,617.38

SECTION 251 (NEW REQ) GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE	\$0.00	\$0.00
STATE PAID RETIREMENT	\$0.00	\$0.00
RETIREMENT	\$0.00	\$0.00
SOCIAL SECURITY	\$0.00	\$0.00
GROUP INSURANCE	\$0.00	\$0.00
CONTRACTUAL SERVICE	\$0.00	\$0.00
TRAVEL	\$0.00	\$0.00
PRINTING	\$0.00	\$0.00
COMMODITIES	\$0.00	\$0.00
EQUIPMENT	\$0.00	\$0.00
TELECOMMUNICATIONS	\$0.00	\$0.00
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00
INDIRECT COST REFUNDS	\$0.00	\$0.00
GRANTS	\$4,489,617.38	\$4,489,617.38

TOTAL	\$4,489,617.38	\$4,489,617.38	\$0.00
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Start Date	End Date	Activity	Division
7 /2 /2012		Last day to object to petitions of candidates who filed June 18 - 25, 2012. 10 ILCS 5/10-8	EL INFO
7 /2 /2012		Begin preparation of materials and speaker outlines for a series workshops/speaking engagements for local election officials in preparation for elections in 2013. 10 ILCS 5/ 1A-8(1-13)	ET&RD
7 /2 /2012		First day that any political committee shall file its 2012 JUNE QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES with the Board. 10 ILCS 5/9-10.	CAMP DISC
7 /2 /2012		Begin review and update of DEPUTY REGISTRAR GUIDELINES booklet. 10 ILCS 5/1A-8 (1, 2, 12)	ET&RD
7 /2 /2012		Start review and update MILITARY/OVERSEAS booklet. 10 ILCS 5/1A-8 (1,2,3,7,11)	ET&RD
7 /2 /2012		Begin plans for updating and printing all agency BROCHURES. 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
7 /2 /2012		Order ELECTION CODES covering laws passed in 2011 legislative session. Delivery in 1/2/2013. 10 ILCS 5/1A-8 (1 through 13)	ET&RD
7 /2 /2012		Begin updating the SBE GUIDE FOR POLLWATCHERS. 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
7 /5 /2012		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
7 /5 /2012		Last day to conduct lottery to determine ballot position for 8:00 a.m. simultaneous filing June 18-25, 2012 filing period. 10 ILCS 5/10-6.2	EL INFO
7 /6 /2012		Last day to file objections to petitions to amend Article IV of the Illinois Constitution and statewide advisory questions in the office of the State Board of Elections. Prior to the last day for ballot certification for the general election, the Board shall conduct a hearing to resolve any specific objection filed pursuant to Section 10-8 of the Election Code. The Board shall then issue a final order declaring the petitions to be valid or invalid and shall, in accordance with its order, certify or not certify the proposition for the ballot.(Objections to petitions must be filed in duplicate.) 10 ILCS 5/28-4	ET&RD

Start Date	End Date	Activity	Division
7 /9 /2012		Notify Department of Public Health for a list of facilities licensed or certified under the Nursing Home Care Reform Act or the MR/DD Community Care Act. This is to obtain a current list for the November 6th, 2012 General Election. 10 ILCS 5/19-12.2	ET&RD
7 /10/2012		The Board will refer to the Attorney General of Illinois for compliance enforcement each jurisdiction whose computerized voter registration submission has not been received for the May 15, 2012 submission	VRS
7 /16/2012		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
7 /16/2012		Last day that a political committee shall file its 2012 JUNE QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES with the Board. 10 ILCS 5/9-10.	CAMP DISC
7 /26/2012		Generate material for the "List of Candidates" for the General Election and prepare for printing. 10 ILCS 5/1A-8	EL INFO
7 /27/2012		Last day for SBE to send list of facilities licensed or certified under the Nursing Home Care Reform Act or the MR/DD Community Care Act to the proper election authorities. This list is for the November 6, 2012 General Election. 10 ILCS 19-12.2	ET&RD
8 /1 /2012		Begin preparation of packet materials for 2012 SEPTEMBER QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Packets to be mailed or e-mailed August 31, 2012. 10 ILCS 5/9-15.	CAMP DISC
8 /1 /2012		Update Legislation by topic and year binder.	LEG
8 /1 /2012		Date upon which the State Board of Election shall notify political committees that have failed to file the 2012 JUNE QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES by the deadline that an assessment will be levied against the committee for failure to file the report in a timely fashion. Rules and Regulations 125.425.	CAMP DISC
8 /8 /2012		Civic Organization certification cutoff date prior to the November 2012 General Election. 10 ILCS 5/1A-8 (1, 2, 12) (Board Rule 207.50)	ET&RD

Start Date	End Date	Activity	Division
8 /13/2012		Complete printing of 2013 ELECTION and CAMPAIGN FINANCE CALENDAR. (Project began 7/12/2012 10 ILCS 5/1A-8 (1 thru 12)	ET&RD
8 /15/2012		The date that a second letter goes out to all committees that have failed to file the report advising them that an assessment for late filing is continuing and that a complaint will be filed if the committee fails to file the 2012 JUNE QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Rules and Regulations 125.425.	CAMP DISC
8 /17/2012		Complete ELECTION JUDGES TRAINING PROGRAM update. Project started 3/21/2012. 10 ILCS 5/1A-8 (1, 2, 6, 11)	ET&RD
8 /22/2012		Deadline for exemption request. (Rules and Regulations)	VOSS
8 /23/2012		Last day for new parties to fill vacancies in nomination (occurring prior to certification) for offices that file with the State Board of Elections. 10 ILCS 5/7-61	EL INFO
8 /23/2012		Last day for established political parties to fill vacancies in nomination (which occurred after the Primary Election) for congressional, legislative, and representative offices. 10 ILCS 5/7-6	EL INFO
8 /24/2012		BOARD MEETING. Certification of the November General Election ballot. 10 ILCS 5/1A-7, 5/7-60, 10-14	EXEC DIR
8 /24/2012		Certification of established parties, new parties and independent candidates for the General Election ballot to the county clerks. 10 ILCS 5/10-14	EL INFO
8 /27/2012		Arrange to have the LIST OF CANDIDATES FOR THE GENERAL ELECTION booklet available for distribution from both offices. (Certification of the ballot is 8/24/2012) 10 ILCS 5/1A-8 (1, 2, 5, 11)	ET&RD
8 /30/2012		Last day to object to resolutions for filling a vacancy in nomination for established and new political parties.	EL INFO

Start Date	End Date	Activity	Division
8 /31/2012		The last day that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file the 2012 SEPTEMBER QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10, 9-15(9).	CAMP DISC
9 /4 /2012		Complete updating the GUIDE FOR POLLWATCHERS. (Project began:7/2/2012) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
9 /4 /2012		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
9 /4 /2012		Send campaign financing notice of obligation to judges seeking retention. 10 ILCS 5/9-16.	CAMP DISC
9 /6 /2012		Notify election authorities to send referenda information. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
9 /7 /2012		Send notice (form) to election authorities in order to obtain early voting system information to be used for the General Election.	VOSS
9 /7 /2012		Send notice (form) to election authorities in order to obtain voting system information to be used for the General Election. (Rules and Regulations)	VOSS
9 /12/2012		Send notification to election authorities re: Voting Equipment Test. 10 ILCS 24B-9, 24C-9	VOSS
9 /17/2012		Election authorities must submit to SBE a copy of the specimen ballot that is to be tested for General Election. 10 ILCS 5/24B-9	VOSS
9 /17/2012		Last day for US Senator, US Representative, Constitutional officers candidates, and candidates for Supreme and Appellate Court judgeships to submit personal statements and photographs for the internet voters' guide to the State Board of Elections. [10 ILCS 5/12A-10(g)]	LEG
9 /17/2012		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
9 /17/2012		Last day for representative and legislative committees to meet and organize. 10 ILCS 5/8-5	EL INFO
9 /17/2012		Complete brochure update. Project started 7/2/2012 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD

- 4. Follow up.**
- 5. Comments from the general public.**
- 6. Next Board meeting at 10:30 a.m. on Friday, August 24, 2012 in Chicago.**